

**SPECIAL CAPITAL NUMBER**



**DECEMBER 1927**

**The Capital of the United States  
Past — Present — Future**

**How the Seat of Government Came to Washington  
Milestones in the Building of the Capital  
Establishing a Government for the Federal City  
How the District of Columbia Is Governed Today  
Plans to Beautify the National Capital  
Current Questions of Importance to the District  
Discussed Pro and Con**

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**Other Regular Features**



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# The Congressional Digest

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## Contents for This Month

### Special Features:

This Month: The Capital of the United States.

#### Preliminary Facts:

Selecting a Site for the Federal City.....	327
Washington's Letters on the Building of the Capital.....	329
The Building of the Capital.....	331
The Building of the White House.....	332
Milestones in the Capital's Progress.....	333
Steps Taken by Congress to Establish a Government for the District of Columbia..	335
How the District of Columbia Is Governed Today.....	337
Plans to Beautify the National Capital.....	339
The New Building Program for the Capital.....	340

#### Pro and Con Arguments:

Should the District Have National Representation?	
Hon. Proctor L. Dougherty (Pro) vs. Hon. W. H. Taft (Con).....	341
Theodore W. Noyes (Pro).....	342
Should the District Be Given Local Suffrage?	
Dr. George C. Havenner (Pro) vs. Rear Admiral W. S. Rodgers (Con).....	343
Did Suffrage for District Prove Failure?	
Hon. Lot Myrick Morrill (Pro) vs. Hon. George E. Spencer (Con).....	344
Is Present Fiscal Arrangement Fair to District?	
Hon. Ross A. Collins (Pro) vs. Hon. Sidney F. Taliaferro (Con).....	346
Joshua W. Evans, Jr. (Con).....	348
Hon. Louis C. Cramton (Pro) vs. Citizens Joint Committee on Fiscal Relations (Con).....	348
Should Potomac Be Used for Power Development?	
Robert J. Bulkley (Pro) vs. Frederick A. Delano (Con).....	350
Col. Ulysses S. Grant, 3d (Con).....	350
Hon. George W. Norris (Pro).....	351
O. M. Kile (Pro) vs. The Commissioners of the District of Columbia (Con) ..	352

#### Regular Features:

The White House.....	355
Recent Government Publications of General Interest.....	356
The Supreme Court of the United States.....	357

Back numbers of the Congressional Digest are indexed in the Readers' Guide.

# The Congressional Digest

Volume VI

DECEMBER, 1927

Number 12

## Special Number

### The Capital of the United States

Past — Present — Future

#### Provision for National Capital in United States Constitution

**ART. 1, Sec. 8, Par. 17.** *The Congress shall have the power: To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of Particular States, and the acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, Dock-Yards, and other needful Buildings.—March 4, 1789.*

### Selecting a Site for the Federal City

#### Meetings of Continental Congress 1774-1789.

**1774. Philadelphia.** The first Continental Congress convened in Carpenter's Hall, Philadelphia, September 5, 1774. Delegates from the various Colonies came together thus for the first time, as a result of long friction between the Colonies and England, culminating in the passage of the Stamp Act by Parliament. The purpose of the meeting was to resolve upon common demands upon England which all the Colonies could make together.

**1776. Baltimore.** The Declaration of Independence having been made on July 4 of this year, a state of war prevailed between the Colonies and England. By December the near approach of the English troops to Philadelphia caused the delegates to remove to Baltimore.

**1777. Philadelphia.** The Continental Congress returned to Philadelphia in February of this year.

**1777. Lancaster.** On September 14 of this year the Congress received news of the approach of the English troops, which caused them to remove hastily to Lancaster, Pa.

**1777. York.** The Congress remained in Lancaster only until September 30, when it removed to York, Pa.

**1778. Philadelphia.** On July 2 of this year the Congress returned to Philadelphia and remained there until June 20, 1783.

#### Need for Permanent Residence Seen.

**1783.** On June 21 the Congress, under unusual circumstances, removed to Princeton, N. J., where the university

buildings were placed at their disposal. The occasion of their removal was the appearance of some mutinous and disorderly soldiers of the Revolution outside of the State House, where they were sitting. The Congress found itself without protection or provision for protection by the State militia. This incident is generally credited with giving impetus to an arrangement for a permanent seat of government with proper conveniences and safeguards.

#### First Action Taken.

On October 7, 1783, Mr. Gerry, of Massachusetts, brought in a motion "that buildings for the use of Congress be erected on the banks of the Delaware near Trenton or the Potomac near Georgetown, providing a suitable district can be procured on one of the rivers as aforesaid, for a Federal town, and that the right of soil and an exclusive or such other jurisdiction as Congress may direct shall be vested in the United States." This motion passed with "or on Potomac near Georgetown" stricken out.

On October 20, 1783, Mr. Gerry, of Massachusetts, brought in another motion which was passed as follows: "Whereas the resolutions of Congress of the 7th instant to erect buildings for their use at or near the falls of the Delaware are not satisfactory to a respectable part of the United States, five of which on the 8th instant voted for a reconsideration of the resolutions; and whereas Congress have no prospect of a general assent to any one place for their resi-

#### A New Congress Convenes

**T**HE first session of the Seventieth Congress begins on December 5. THE CONGRESSIONAL DIGEST, in its January, 1928, number, will resume its accurate and brief reports on the proceedings of both the Senate and House. Since all legislation, except treaties, expired with the ending of the 69th Congress on March 4, 1927, many important measures will be promptly reintroduced. Coming numbers of THE CONGRESSIONAL DIGEST will deal fully and impartially with all the important legislation that will be considered by the new Congress.

dence, and there is every reason to expect that the providing of buildings for the alternate residence of Congress in two places will be productive of the most salutary effects, by securing the mutual confidence and affections of the States, and preserving the Federal balance of power; it is therefore resolved that buildings be likewise erected for the use of Congress at or near the lower falls of Potomac or Georgetown."

The five States referred to in the motion were Delaware, Maryland, Virginia, North Carolina and South Carolina. Committees were appointed to visit the respective sites, and report on them.

1783. *Annapolis.* During the session at Princeton it had been decided, in an attempt to meet the convenience of members from the North and from the South, to alternate the meetings between Annapolis, Md., and Trenton, N. J. The meeting was called at Annapolis for November 15, but it was more than a month before a quorum appeared.

During this session Rhode Island agitated the matter of holding the next session at Newport, but was unsuccessful in doing more than to delay the inspection of the Potomac site by the committee appointed to do so. On May 20, 1784, however, James Monroe wrote: "The committee of which I am a member, appointed to view the country around Georgetown under the Princeton engagement, set out this morning upon that business." On May 25th he wrote again to Thomas Jefferson at Paris: "My letter by the last post will inform you of the occasion which pointed that as a favorable moment for a trip to Georgetown and of our availing ourselves of it. Yesterday evening we returned. Our report will be in favor of the Maryland side and of a position near the town."

1784. *Trenton.* Congress met here November 1, 1784.

1785-1790. *New York.* In January of this year Congress accepted an offer from the Mayor and Corporation of New York of such public buildings in the city as might be necessary for the transaction of public business. In the acceptance the Congress stated that the whole of the city hall, with the exception of the court and jury rooms, would be necessary for the accommodation of Congress and its officers. From 1785 until 1790 (the designation of Philadelphia as the temporary capital in the Act of July 16, 1790) New York was the meeting place of Congress.

#### *Call for Constitutional Convention*

1787. On February 21 the Continental Congress adopted a resolution in favor of a constitutional convention and all States, except Rhode Island, appointed delegates.

On May 25 the delegates assembled and elected George Washington president of the convention.

On September 17 the Constitution was engrossed and signed by all members present, except Mr. Gerry, of Massachusetts, and Messrs. Randolph and Mason, of Virginia. It fixed March 4, 1789, as the date of beginning operations of the new Government.

On September 28 Congress ordered the Constitution submitted to the States.

Dec. 23, 1788. The General Assembly of Maryland provided "that the representatives of this State in the House of Representatives of the Congress of the United States, appointed to assemble at New York on the first Wednesday of March next, be and they are hereby authorized and required on behalf of this State to cede to the Congress of the United States any district in this State not exceeding ten miles square which the Congress may fix upon and accept for the site of the Government of the United States."

#### *The Constitution Ratified*

1789. On March 4 the Constitution had been ratified by enough States to permit the organization of the Government

under it and the Congress of the United States came into being.

Dec. 3, 1789. Virginia provided "That a tract of country not exceeding ten miles square" of her territory should be "forever ceded and relinquished to the Congress of the United States," "pursuant to the tenor and effect of the eighth section of the first article of the Constitution of the United States."

This Act also provided that the laws of Virginia over persons and property within the aforesaid limits should apply until Congress had by law provided for a Government as provided by the Constitution.

Various other localities which were interested in securing the capital made tentative offers of a site.

#### *The U. S. Congress, 1790*

1790. *New York.* The first session of the first Congress of the United States met in New York. There ensued a spirited debate on the final choice of a site for a permanent capital. Northern and Eastern members favored a spot near the lower falls of the Delaware River, while Southern members favored a site near the lower falls of the Potomac River.

#### *The Debate Not Without Good Humor*

Many hours of spirited debate preceded the final choice of a site. When the bill came from the Senate providing 10 miles square to include Germantown, Mr. White (Va.) said that in all the long argument which the question had drawn out, he believed this place had never been mentioned." Mr. Smith thought the Government would have a better bargain buying cheap land on the Susquehanna; he had an objection against fixing in the neighborhood of any large city. The federal town would, in such case, be no more than a suburb." Mr. Burke (S. C.) "preferred Baltimore to Conococheague. He thought a populous city better than building a palace in the woods. He thought it a very extraordinary measure indeed. He objected to Philadelphia also on account of there being no gallery in the House proposed for the accommodation of Congress—the open gallery he considered a very important check to legislation." Mr. Gerry "ridiculed the idea of fixing the Government at Conococheague. He did not think there was any serious intention of ever going to this Indian place." Mr. Page (Va.) thought "any unprejudiced, disinterested man in the world, looking over the map of the United States would put his finger on the district pointed out in the bill (near Georgetown), and say: 'This is your place, sir.'" Mr. Livermore (N. H.) said: "There is a river, it is said, which runs 200 miles into the country as far as the Allegany mountains. What advantage can this be to Congress? I can conceive none, except that it may be to send the acts of Congress by water to the foot of the Allegany mountains." Mr. Seney "mentioned Peach Bottom on the Susquehanna," and Mr. Goodhue (Mass.) "was free to declare that his own idea was in favor of a situation near Wright's Ferry." Mr. Sedgwick (Mass.) stated "it is the opinion of the Eastern States that the climate of the Potomac is not only unhealthy but destructive to northern constitutions." Mr. Madison (Va.) stated that "the position of the Southern gentlemen was of a defensive nature, and that they had not listened to a proposition until they had reason to think it necessary to prevent a sudden and improper decision of this very important question."

Another question that had long troubled Congress was the settlement of the Revolutionary War debts. Alexander Hamilton, who was Secretary of the Treasury, wished the various States to assume their payment. The division in Congress on this question was exactly the same as the division on the site of the capital, the Northern and Eastern members favoring it and the Southern members opposing it.

*Act Establishing Permanent Capital at Washington.*

The two propositions were destined to get through Congress yoked together. Hamilton's proposition was that if the Southern members would vote for the Assumption bill, enough Northern and Eastern votes could be mustered to carry the bill to establish the capital on the Potomac. This plan was successful. As a palliative to the Northern and Eastern members who had wanted the lower falls of the Delaware, the same bill (Act of July 16, 1790,) that established the permanent capital at Washington fixed the temporary and immediate capital at Philadelphia for ten years, until the first Monday in December, 1800.

The bill passed the Senate June 29, 1790, yeas 13 and nays 12. It passed the House on July 9, 32 to 29. The President approved the measure July 16, 1790. But whether the question would remain permanently settled was for some time a matter of doubt in the minds of those on whom the responsibility of developing the Federal town devolved. Fortunately, most of this responsibility was in the hands of George Washington for the first seven years, and it was no doubt his prestige, wisdom and prudence that really established, within ten years, the Federal town. (See Washington's personal letters below.)

*July 16, 1790.* The Act of July 16, 1790, provided "That a district of territory, not exceeding ten miles square," located "at some place between the mouths of the Eastern Branch and Connogocheague, be, and the same is hereby, accepted for the permanent seat of the Government of the United States." Section 2 of this Act of Congress provided that "the President of the United States be authorized to appoint, and by supplying vacancies happening from refusals to act, or other causes, to keep in appointment, as soon as may be necessary, three commissioners, who, or any two of which shall, under the direction of the President, survey and by proper metes and bounds define and limit a district of territory, under the limitations above mentioned; and the district so defined, limited and located, shall be deemed the district accepted by this act, for the permanent seat of the Government of the United States."

The Act further gave power to the commissioners to buy "such quantities of land on the eastern side of the said river, within the said district, as the President shall deem proper for the United States," and made it obligatory that the Commissioners should prior to the first Monday in December, 1800, "provide suitable buildings for the accommodation

of Congress, and of the President, and for the public offices of the Government of the United States."

*1790. Philadelphia.* Congress remained here until 1800.

*January 22, 1791.* The first three Commissioners first appointed by Washington to carry out the Act of July 16, 1790, were:

*Thomas Johnson*, of Frederick, Md., a judge of the Supreme Court of Maryland. He resigned in 1795 to become Secretary of State in Washington's Cabinet. He was succeeded by Alexander White, who had served Virginia in Congress.

*Daniel Carroll*, of Forest Glen, Md. He was succeeded in office by Gustavus Scott, a lawyer of Baltimore.

*Dr. David Stuart*, of Fairfax, Va. Dr. Stuart married Eleanor Calvert Custis, widow of John Parke Custis, son of Martha Washington. He was succeeded by Dr. William Thornton, a graduate of the University of Edinburgh, whose plan for the Capital had pleased Washington.

*March 3, 1791.* The Act was amended to permit "the President to make any part of the territory below the said limit (mouth of the Eastern Branch) to above the mouth of Hunting Creek, a part of the said district, so as to include a convenient part of the Eastern branch, and of the lands lying on the lower sides thereof, and also the town of Alexandria."

Approximately 70 acres were taken from Maryland, and approximately 30 acres from Virginia, to form the ten miles square. This meant a transfer of jurisdiction, to be arranged when the District Government should be organized, and not a change of ownership of soil, nor of citizenship except in so far as the citizens were willing to transfer them. In the land chosen for public buildings, however, Washington agreed to buy land needed for the sites and for parks. The property owners within that section that it was proposed to develop, and which was covered by L'Enfant's plan, agreed to give half their land to the Government, the proceeds from the sales of lots being used in the building fund. In addition to this Virginia contributed \$120,000 towards the public buildings, and Maryland \$72,000. The property owners also contributed the land that was used for streets.

*1800. Washington.* In this year President John Adams and the various officers of the Government moved their files and equipment to Washington, where Congress opened for the first time in November, 1800. It was specifically provided in the Act of July 16, 1790, establishing Washington as a permanent capital that the public buildings should be ready not later than December, 1800.

## Washington's Letters on Building of Federal City

*January 24, 1791.* (To William Deakins and Benjamin Stoddert, residents of Georgetown). "I enclose you several proclamations expressing the lines which are to bound the District of ten miles square for the permanent seat of the General Government, which I wish you to have made public with all expedition, and in the most general and extensive manner that you can to prevent any kind of speculation."

*February 3, 1791.* (To same.) "In asking your aid in the following case, permit me, at the same time, to ask the most perfect secrecy. The Federal territory being located, the competition for the location of the town now rests between the mouth of the Eastern Branch and the lands on the river below and adjacent to Georgetown. In favor of the former, nature has furnished powerful advantages; in favor of the latter, is its vicinity to Georgetown, which puts it in the way of deriving aids from it in the beginning, and

of communicating in return an increased value to the property of that town. These advantages have been so poised in my mind as to give it different tendencies at different times. There are lands which yet stand in the way of the latter location and which, if they could be obtained for the purposes of the town, would remove a considerable obstacle to it, and go near indeed to decide what has been so long on the balance with me. (These were lands near Goose Creek and the River, belonging to Mr. Carroll and Mr. Young.) The object of this letter is to ask you to endeavor to purchase these grounds of the owners for the public . . . but as if for yourselves. The circumstances of the funds appropriated by the States of Virginia and Maryland will require that a twelve months' credit be stipulated."

*February 17, 1791.* (To same.) "You mention that, should he ask you as far as 20 or 25 pounds you will await

further instructions before you accept such an offer: I have thought it better in order to prevent delays, to inform you, that I could wish his lands to be purchased even at those prices, rather than not to obtain them.

"The Maryland Assembly has authorized a certain number of acres to be taken without the consent of the owners or making compensation as therein provided. This will be principally useful as to the old lots of Hamburg. I will, therefore, beg the favor of you to take measures immediately for buying up all the lots you can in Hamburg, on the lowest rate you can, not to exceed 25 pounds the acre."

March 2, 1791. (To same.) "Major L'Enfant comes on to make such a survey of the grounds in your vicinity as may aid in fixing the site of the Federal Town and buildings: his present instructions express those alone which are within the Eastern-branch, the Potomac, the Tiber, and the road leading from Georgetown to the ferry on the Eastern Branch. He is directed to begin at the lower end, and work upwards. . . . I have referred Major L'Enfant to the mayor of Georgetown for necessary aids and expenses. Should there be any difficulties on this subject, I would hope your aid in having them surmounted."

March 28-30, 1791. (Diary.) "Monday, 28th. Left Bladensburg at half after six, and breakfasted at Georgetown about 8; where, having appointed the Commissioners under the Residence law to meet me, I found Mr. Johnson one of them (& who is Chief Justice of the State) in waiting—& soon after came David Stuart, & Dan. Carroll Esqrs. the other two. A few miles out of town I was met by the principal citizens of the place and escorted in by them; and dined at Suter's tavern (where I also lodged) at a public dinner given by the Mayor and Corporation."

Tuesday, 29th. (Diary.) "Finding the interests of the Landholders about Georgetown and those about Carrollsburch much at variance and that their fears and jealousies of each other were counteracting the public purposes and might prove injurious to its best interests while if properly managed they might be made to subserve it—I requested them to meet me at six o'clock this afternoon at my lodgings, which they accordingly did."

March 31, 1791. (To Thomas Jefferson.) "The terms entered into by me, on the part of the United States, with the landowners of Georgetown and Carrollsburch are, that all the land from Rock Creek along the river to the Eastern Branch, and so upwards to or above the Ferry, including a breadth of about a mile and a half, the whole containing from three to five thousand acres, is ceded to the public on condition, that, when the whole shall be surveyed and laid off as a city (which Major L'Enfant is now directed to do), the present proprietors shall retain every other lot; and for such part of the land as may be taken for public use, for squares, walks, etc., they shall be allowed at the rate of twenty-five pounds per acre, the public having the right to reserve such parts of the wood on the land, as may be thought necessary to be preserved for ornament. Nothing is to be allowed for the ground which may be occupied as streets and alleys."

"To these considerations all the principal landholders, except the purchaser of Slater's property, who was not present, have subscribed; and it is not doubted, that the few, who were not present, will readily come into the measure, even the obstinate Mr. Burns."

June 28, 1791. (Diary.) "Whilst the Commissioners were engaged in preparing the Deeds to be signed by the subscribers this afternoon, I went out with Majors L'Enfant and Ellicott to take a more perfect view of the ground, in order to decide finally on the spots on which to place the public buildings."

June 29, 1791. (Diary.) "The Deeds which remained unexecuted yesterday were signed today and the Dowers of their respective wives acknowledged according to Law. This being accomplished I called the several subscribers together and made known to them the spots on which I meant to place the buildings for the P: & Executive department of the Government—and for the Legislature of Do."

December 18, 1791. (To the Commissioners.) "It gave me much pleasure to find by a late letter of yours that the dispute between Major L'Enfant and Mr. Carroll (of Duddington) is likely to terminate more favorably than might have been expected from the nature of it. His aim is obvious. It is to have as much scope as possible for the display of his talents, perhaps for his ambition. I submit to your consideration whether it might not be politic to give him pretty general and ample powers for defined objects, until you shall discover in him a disposition to abuse them. His pride would be gratified and his ambition excited by such a mark of your confidence. If for want of these, or from any other cause, he should take miff and leave the business, I have no scruple in declaring to you (though I do not want him to know it) that I know not where another is to be found who could supply his place."

March 8, 1792. (To David Stuart.) "I see no necessity in diminishing the Square allotted for the President's House, etc., at this time. It is easier at all times to retrench than it is to enlarge a Square."

"The plan of the city having met universal applause (as far as my information goes) and Major L'Enfant having become a very discontented man, it was thought that, less than from 2500 to 3000 dollars would not be proper to offer him for his services; instead of this, suppose five hundred guineas and a lot in a good part of the City were to be substituted? I think it would be more pleasing and less expensive."

March 3, 1793. (To the Commissioners.) "When it was suggested to increase the dimensions of the President's House one-fifth, I had no idea that it would carry the expense of that building to anything like the sum of 77,900 pounds sterling, which is estimated by Mr. Hoban. And if that should be the case, I am decidedly of the opinion that it would be best to take the plan on its original scale as you mention."

June 27, 1794. (To same.) "Experience has shown the expediency of the Commissioners or one of them at least residing on the spot. My ideas always were that it was the part of a Superintendent to perform what has been done by the Commissioners. But I see a greater difficulty since the trials that have been made, than I did before in getting a man adequate to this business."

July 23, 1794. (To same.) "I have subscribed to the alteration for regulating the material and manner of the buildings and improvements on the lots in the City of Washington. I wish, however, you had declared that so much of the stone walls, on which the railing in the streets is to be placed, as shall appear above the surface should be of free stone hewed."

August 28, 1794. (To Tobias Lear.) "It has been found from experience, indispensibly necessary that the Commissioners should reside in the City (In George Town would be tantamount) and devote, by some arrangement amongst themselves, much of their time to the multitudinous concerns of the same, thereby superceding the necessity of employing a Superintendent. As the rendering of such duties are not to be expected on the terms the late Commissioners served (and two of them decline it under any terms) I have fixed the salary for each at sixteen hundred dollars per annum."

January 7, 1795. (To Daniel Carroll.) "You will

consider this letter as coming from me in my private capacity, at the same time I do not object to the communication of the sentiments to your colleagues in Office.

"You will recollect, no doubt, that I yielded my assent to Mr. Greenleaf's first proposition to purchase a number of lots in the Federal City (altho' I thought the price he offered for them was too low) because matters at that time, seemed to be in a stagnant state, and something was necessary to put the wheels in motion again. To the second Sale which was made to him, my repugnance was greater, inasmuch as the necessity for making it was not so apparent to my view—and because another thing had become quite evident—Viz: that he was speculating deeply—was aiming to monopolize deeply and was thereby laying the foundation of immense profit to himself and those with whom he was concerned.

"Viewing the matter in this light, you will readily perceive, at the first glance, how much my sentiments are opposed to any more large scales, if there be any other resource by which money can be obtained to carry on your operations."

March 6, 1795. (To Thos. Johnson.) "It is with great regret I found that a difference had arisen between the Commissioners and yourself; the precise nature of which I have only a general knowledge. No opinion of mine, on the nature of it, has yet been given; nor, if it respects property, or the construction of a contract, may there be a propriety in my doing it. Sincerely do I wish however that this dispute had not arisen; as sincerely that it could be amicably adjusted upon principles of strict justice.

"To say precisely when I shall be in the Federal City, on my way to Mount Vernon (for a very short stay) is more than I am able, but it is more likely to happen between the 10th and 15th of April than at any other time I could name at present."

June 10, 1796. (To the Commissioners.) "I much question whether any of the Banks in this City are to be relied on for a loan—the reason of this needs no explanation. I shall, however, mention the matter to the Secretary of the Treasury, and what I can do, consistently with my official character may be relied on. If, as I expect to do, I should receive money for some of my Western Lands which have

been sold, I will (though it will be little more than a drop in the Bucket) pay the whole sum due from me for the Lots I hold in the City, and request that the account (agreeably to the terms of Sale) may be made out accordingly, against my arrival."

November 27, 1796. (To same.) "The dissensions and controversies which so frequently happen in that City are extremely to be regretted; and nothing, I am persuaded, will contribute more to appease them, and to remove the jealousies which without doubt will forever exist than the residence of the Commissioners within the City; for which reason I do in behalf of the public give it as my decided opinion that they ought, and as my expectation that they will remove into it, before the building operations of the ensuing year commence. It would, I conceive, be submitting to a novel doctrine to have the Commissioners of any City non-residents thereof. How much greater then must it be in one where there is such a variety of object to attend to? and such incessant calls upon their activity?"

March 3, 1797. (To same.) "Three things relative to the City of Washington call for my decision, and this is the last day I have Power to give any.

"The first respects the dispute with Mr. Law, touching the conveyances of Lotts; the second, to my approbation of the Plans for the Executive Offices; and the third to the instrument you transmitted to me in your letter of the 31st of January.

"With regard to the first, however hard and unexpected the case may be as it affects the public interest, and whatever my private opinion on some points may be; I think it safest, and all things considered, perhaps the best, to let the opinion of the Law Officer of the Government—herewith enclosed—prevail; and I advise it accordingly. The second not only meets my approbation, but is approved also by the heads of Departments.

"On the other, or third point, the Bill for incorporating the Commissioners of the City of Washington, has not been passed into a Law, in consequence of the superior claim of more important matters upon the attention of Congress in the close of the present Session."—*Extracts, see 14, p. 358.*

## The Building of the Capitol

### Residence of the Congress of the United States Since 1800

1790—The Act of Congress, approved July 16, accepting from Maryland and Virginia a tract of land on which to locate the permanent seat of Government of the United States, provided (Sec. 2) "that the Commissioners appointed by the President to survey the land, should, under the direction of the President, prior to the first Monday in December, in the year one thousand eight hundred, provide suitable buildings for the accommodation of Congress, and of the President, and for the public offices of the Government of the United States."

1792—Designs for the building for the accommodation of Congress were solicited by the three Commissioners and the award was made to Dr. William Thornton and to Mr. Stephen Hallette, a Frenchman who came to Philadelphia from France in 1775. The plan of Dr. Thornton, who was not an architect, was generally followed, but the work of constructing the building was entrusted to Mr. Hallette, who continued as architect of the Capitol until 1794.

1793—On September 18 President Washington laid the

southeast cornerstone of the Capitol Building with Masonic ceremonies.

1794—James Hoban, who had been surveyor of public works and who had worked on the Capitol Building, succeeded Mr. Hallette. Mr. Hoban was an Irishman who had settled in Charleston, S. C. He continued work on the Capitol until 1802.

1794-1827—James Hoban, George Hatfield, Benjamin H. Latrobe and Charles Bullfinch served for successive periods as architects in charge of carrying on the building work.

1800—The North wing of the Capitol was completed.

1811—The South wing was completed and connected with the North wing by a wooden passageway.

1814—On August 24, British troops, occupying Washington, set fire to the Capitol, destroying the interior of both wings. This damage was promptly repaired.

1818—Construction of the central portion of the building was begun.

1827—The entire original building was completed, its

cost, including the grading of the grounds, alterations and repairs, up to 1827, being \$2,433,844.13.

1851—The plans of Thomas U. Walter, of Philadelphia, for the extension of the Capitol, were accepted.

On July 4, the cornerstone of the extension was laid by President Fillmore, Daniel Webster officiating as orator.

1857—On December 16 the House extension was first occupied for legislative purposes.

1859—On January 4 the Senate extension was first occupied for legislative purposes.

1865—The present Capitol Building was completed.

#### *Construction Materials*

The original Capitol building is constructed of sandstone from quarries on Aquai Creek, Virginia.

The walls of the extension are made of white marble from the quarries at Lee, Massachusetts. The columns are of white marble from the quarries at Cockeysville, Maryland. The dome was originally made of wood covered with copper. This was replaced in 1856 by the present structure of iron.

#### *Extent of Capitol Grounds*

The Capitol grounds comprise 58.8 acres at present, but will be increased by 55 acres when the Capitol Plaza, which is the land lying to the north, between the Capitol Building and the Union Station are added. The purchase of this land has been completed but buildings on it, scheduled to be torn down, have not yet been removed.

#### *Some Dimensions*

The entire length of the building from north to south is 751 feet 4 inches, and its greatest dimension from east to west, 350 feet. The area covered by the building is 153,112 square feet.

The Dome is crowned by a bronze statue of Freedom, which is 19 feet 6 inches high and weighs 12,985 pounds. It

was modeled by Crawford. The height of the Dome above the base line of the east front is 287 feet 5 inches. The height from the top of the balustrade of the building is 217 feet 11 inches. The greatest diameter at the base is 135 feet 5 inches.

The Rotunda is 97 feet 6 inches in diameter, and its height from the floor to the top of the canopy is 180 feet 3 inches.

The Senate Chamber is 113 feet 3 inches in length by 80 feet 3 inches in width and 36 feet in height. The galleries will accommodate 1,000 persons.

The Representatives' Hall is 139 feet in length by 93 feet in width and 36 feet in height.

#### *The Supreme Court Chamber*

The room now occupied by the Supreme Court was, until 1859, occupied as the Senate Chamber. Previous to that time the court occupied the room immediately beneath, now used as a law library.

#### *Recent Valuation*

The valuation of the Capitol and its grounds is \$53,000,000, according to an estimate of William P. Richards, Tax Assessor of the District of Columbia, made public November 16, 1927. The Senate Office Building is valued by Mr. Richards at \$5,000,000 and the House Office Building at \$5,600,000, while the Library of Congress and its grounds are valued at \$10,000,000, giving the group of four Government Buildings on Capitol Hill and their grounds a total valuation of \$73,600,000.

#### *Supervision*

The Capitol buildings and grounds are under the supervision of the Architect of the Capitol, David Lynn, who is assisted by a chief clerk and art curator, Charles E. Fairman; a supervising engineer, Arthur E. Cook, and a superintendent of construction, J. A. Brown.

## *The Building of the White House*

### *Home of the Presidents of the United States Since 1800*

1791—The site of the White House, or "President's House," as it was originally called, was selected by George Washington and Major L'Enfant.

Together with the Capitol, the White House was a cardinal feature of L'Enfant's plan for a dignified and effective location of public buildings.

1792—On July 15 the competition for the design of the President's House was closed and the design of James Hoban was accepted. The prize was \$500. James Hoban was a native of Dublin, Ireland, who some years before had settled in Charleston, S. C.

On October 13 the cornerstone was laid by George Washington.

Funds for building the President's House were obtained from the sale of lots owned by the Government in the Federal City (now Washington) and from moneys donated by the States of Maryland and Virginia at the time they ceded to the Federal Government land for the Capital.

1800—The President's House was first occupied by President John Adams, although it was not quite completed.

On April 24 the first appropriation for the White House was made from the Federal Treasury, when \$15,000 was given for furnishings.

1807—A second Federal appropriation of \$15,000 was made for repairs to the President's House.

During this period President Jefferson had a small office outside the President's House in the grounds.

1814—When the city of Washington was captured by the British the President's House was burned, the fire destroying the interior and damaging much of the masonry. The work of reconstructing was done under the direction of James Hoban at a cost of \$50,000 and was completed in 1818 and occupied by President James Madison.

To cover marks of the fire on the outer walls the President's House was painted white and from that time became known as the "White House."

1819—Congress appropriated \$8,137 for enlarging the offices west of the President's House.

1823—The South Portico was finished at a cost of \$19,000.

1826—The East Room was finished and furnished at a cost of \$25,000.

1829—The North Portico was finished at a cost of \$24,769.25.

1848—Gas light was installed in the White House.

1853—A heating and ventilating system was installed.

*Continued on page 355*

## Milestones in Capital's Progress

Marked in Messages of the Presidents From Washington to Coolidge

**GEORGE WASHINGTON:** "A century hence, if this country keeps united (and it is surely its policy and interest to do it), will produce a city, though not as large as London, yet of magnitude inferior to few others in Europe, on the banks of the Potomac, where one is now establishing for the permanent seat of the Government of the United States, between Alexandria and Georgetown, on the Maryland side of the river; a situation not excelled for commanding prospect, good water, salubrious air, and safe harbor by any in the world; and where elegant buildings are erecting and in forwardness for the reception of Congress in the year 1800."—*May 16, 1798.*

**JOHN ADAMS:** "It would be unbecoming the representatives of this Nation to assemble for the first time in this solemn temple without looking up to the Supreme Ruler of the Universe and imploring His blessing.

May this territory be the residence of virtue and happiness! In this city may that piety and virtue, that wisdom and magnanimity, that constancy and self-government which adorned the great character whose name it bears be forever held in veneration! Here and throughout our country may simple manners, pure morals, and true religion flourish forever!"—*Annual Message, 1800.*

**JAMES MONROE:** "Although the progress of the public buildings has been as favorable as circumstances have permitted, it is to be regretted the Capitol is not yet in a state to receive you. There is good cause to presume that the two wings, the only parts as yet commenced, will be prepared for that purpose at the next session. The time seems now to have arrived when this subject may be deemed worthy the attention of Congress on a scale adequate to national purposes. Most nations have taken an interest and a pride in the improvement and ornament of their metropolis."—*Annual Message, 1817.*

**ANDREW JACKSON:** "Your attention is respectfully invited to the situation of the District of Columbia. It is respectfully submitted whether a provision authorizing the election of a delegate to represent the interests of the citizens of this District on the floor of Congress is not due to them and to the character of our Government. No portion of our citizens should be without practical enjoyment of the principles of freedom."—*Annual Message, 1830.*

**MARTIN VAN BUREN:** "This District has unfortunately been left to linger behind the rest of the Union. Its codes, civil and criminal, are not only defective, but full of obsolete and inconvenient provisions. I am well aware of the various subjects of greater magnitude and immediate interest that press themselves on the consideration of Congress, but I believe there is no one that appeals more directly to its justice than a liberal and even generous attention to the interests of the District of Columbia."—*Annual Message, 1837.*

**WILLIAM HENRY HARRISON:** "The grant to Congress of exclusive jurisdiction in the District of Columbia can be interpreted so far as respects the aggregate people of the United States as nothing more than to allow Congress the controlling power necessary to accord a free

and safe exercise of the functions assigned to the General Government by the Constitution. In all other respects the legislation of Congress should be adapted to their peculiar position and wants and be conformable with their deliberate opinions of their own interests."—*Annual Message, 1841.*

**MILLARD FILLMORE:** "This District, which has no voice or vote in your deliberations, looks to you for protection and aid. It should be borne in mind that in this city, laid out by Washington, and created in his name, is located the Capitol of our nation, the emblem of our Union, and the symbol of our greatness. Here also are situated all the public buildings necessary for the use of the Government and all these are exempt from taxation. It should be the pride of Americans to render this place attractive to the people of the whole republic and convenient and safe for the transaction of public business and the preservation of public records. The Government should, therefore, bear a liberal proportion of the burdens of all necessary and useful improvements."—*Annual Message, 1850.*

**FRANKLIN PIERCE:** "My former recommendation in relation to a suitable provision for various objects of deep interest to the inhabitants of the District of Columbia are renewed. Many of these objects partake largely of a national character, and are independent of their relation to the prosperity of the only considerable organized community in the Union entirely unrepresented in Congress."—*Annual Message, 1854.*

**JAMES BUCHANAN:** "I recommend to your favorable regard the local interests of the District of Columbia. As the residence of Congress and the Executives of the Government, we cannot fail to feel a deep concern in its welfare. This is heightened by the high character and the peaceful and orderly conduct of its resident inhabitants."—*Annual Message, 1858.*

**ANDREW JOHNSON:** "Measures having been introduced at the commencement of the first session of the present Congress for the extension of elective franchise to persons of color in the District of Columbia, steps were taken by the corporate authority of Washington and Georgetown to ascertain and make known the opinion of the people of the two cities upon a subject so immediately affecting their welfare as a community. The question was submitted to the people at special elections held in the month of December, 1865, when the qualified voters of Washington and Georgetown, with great unanimity of sentiment, expressed themselves opposed to the contemplated legislation. Entirely disregarding the wishes of the people of the District of Columbia, Congress has deemed it right and expedient to pass the measure now submitted for my signature.

"Sound policy requires that the legislature should yield to the wishes of a people, when not inconsistent with the Constitution and the laws. The measures ceded to one community might not be well adapted to the condition of another; and the persons best qualified to determine such questions are those whose interests are to be directly affected by any proposed law.

"After full deliberation upon this measure, I cannot bring myself to approve it, even upon local considerations, nor yet

as the beginning of an experiment on a larger scale. I yield to no one in attachment to that rule of general suffrage which distinguishes our policy as a nation. But there is a limit, wisely observed hitherto, which makes the ballot a privilege and a trust, and which requires of some classes a time suitable for probation and preparation."—*Veto Message, 1867.*

**ULYSSES S. GRANT:** "Under the very efficient management of a governor and a Board of Public Works of this District the city of Washington is rapidly assuming the appearance of a Capital of which the Nation may well be proud. From being a most unsightly place three years ago, disagreeable to pass through in summer in consequence of the dust arising from unpaved streets and almost impassable in the winter from the mud, it is now one of the most sightly cities in the country, and can boast of being the best paved. I question whether so much has ever been accomplished before in any American city for the same expenditures. The Government having a large reservation in the city, and the Nation at large having an interest in their Capital, I recommend a liberal policy toward the District of Columbia, and let the Government bear its just share of the expense of these improvements. Every citizen visiting the Capital feels a pride in its growing beauty, and that he, too, is part owner of the investments here."—*Annual Message, 1873.*

**RUTHERFORD B. HAYES:** "Necessity has compelled the renting of private buildings in different parts of the city for the location of public offices, for which large amounts of rent are annually paid, while the separation of offices belonging to the same Department impedes the transaction of current business. The Secretary suggests that the blocks surrounding Lafayette Square on the east, north and west be purchased as the sites for new edifices for the accommodation of the Government offices, leaving the square itself intact, and that if such buildings were constructed upon a harmonious plan of architecture they would add much to the beauty of the national Capital, and would, together with the Treasury and the new State, Navy and War Department Building, form one of the most imposing groups of public edifices in the world."—*Annual Message, 1880.*

**GROVER CLEVELAND:** "The Commissioners represent that enough of the revenues of the District are now deposited in the Treasury of the United States to repay the sum advanced by the Government for sewer improvements under the Act of June 4, 1884. They desire now an advance of the share which ultimately should be borne by the District of the cost of extensive improvements to the streets of the city. The total expense of these contemplated improvements is estimated at \$1,000,000, and they are of opinion that a considerable sum could be saved if they had all the money in hand so that contracts for the whole work could be made at one time. They express confidence that if the advance asked for should be made the Government will be reimbursed the sum within a reasonable time. I have no doubt these improvements could be made much cheaper if undertaken together and prosecuted according to a general plan."—*Annual Message, 1885.*

**WILLIAM MCKINLEY:** "In the year 1900 will occur the centennial anniversary of the founding of the city of Washington for the permanent Capital of the United States. In May, 1800, the archives and general offices of the Government were removed to this place. On the 17th of November, 1800, the national Congress met here

for the first time and assumed control of the Federal District and city. This interesting event assumes all the more significance when we recall the circumstances attending the choosing of the site, the naming of the Capital in the honor of the Father of his Country, and the interest taken by him in the adoption of plans for its future development on a magnificent scale.

These original plans have been wrought out with a constant progress and a signal success beyond anything their framers could have foreseen. The people of the country are justly proud of the distinctive beauty of the Capital and of the rare instruments of science and education which here find their natural home."—*Annual Message, 1898.*

**WILLIAM HOWARD TAFT:** "I have already in previous communications to Congress referred to the importance of acquiring for the District of Columbia at least a part of the territory on the other side of the Potomac in Virginia which was originally granted for the District by the State of Virginia, and then was retroceded by act of Congress in 1846. It is very evident from conferences I have had with the Senators and Representatives from Virginia that there is no hope of a regranting by the State of the land thus given back; and I am frank to say that in so far as the tract includes the town of Alexandria and land remote from the Potomac River there would be no particular advantage in bringing that within national control. But the land which lies along the Potomac River above the railroad bridge and across the Potomac, including Arlington Cemetery, Fort Myer, the Government experiment farm, the village of Rosslyn, and the Palisades of the Potomac, reaching to where the old District line intersects the river, is very sparsely settled and could be admirably utilized for increasing the system of parks of Washington. It has been suggested to me by the same Virginia Senators and Representatives that if the Government were to acquire for a government park the land above described, which is not of very great value, the present law of Virginia would itself work the creation of Federal jurisdiction over it, and if that were not complete enough, the legislature of Virginia would in all probability so enlarge the jurisdiction as to enable Congress to include it within the control of the government of the District of Columbia and actually make it a part of Washington. I earnestly recommend that steps be taken to carry out this plan."—*Annual Message, 1910.*

**CALVIN COOLIDGE:** "We are embarking on an ambitious building program for the city of Washington. The Memorial Bridge is under way with all that it holds for use and beauty. New buildings are soon contemplated. The program should represent the best that exists in the art and science of architecture. Into these structures, which must be considered as of a permanent nature, ought to go the aspirations of the Nation, its ideals expressed in forms of beauty. If our country wishes to compete with others, let it not be in the support of armaments but in the making of a beautiful Capital City. Let it express the soul of America. Whenever an American is at the seat of his Government, however traveled and cultured he may be, he ought to find a city of stately proportion, symmetrically laid out and adorned with the best that there is in architecture, which would arouse his imagination and stir his patriotic pride. In the coming years Washington should be not only the art center of our own country, but the art center of the world. Around it should center all that is best in science, in learning, in letters, and in art. These are the results that justify the creation of those national resources with which we have been favored."—*Annual Message, 1926.*

## Steps Taken by Congress

### To Establish a Government for the District of Columbia

1801-1871

1801.—The act of February 27, 1801, was the first step taken by Congress in recognition of its responsibility for "exclusive legislation" over the District of Columbia, as specified in the Constitution. Up to that time, in accordance with the acts of cession by Virginia and Maryland, the inhabitants of the 64 square miles which had been accepted by the Federal Government from Maryland, and of the 36 square miles which had been accepted from Virginia, had remained under the laws of their respective States. The act of February 27, 1801, provided for a continuance of that situation, making four administrative units within the District: namely, the two counties of Washington and Alexandria, lying respectively on the Maryland and Virginia sides of the river, and the two incorporated towns of Alexandria and Georgetown. A fifth was added with the incorporation of Washington a few months later.

The strictly federal interests of the city had up to this time been administered by a board of commissioners provided for in the act of July 16, 1790, establishing the seat of government. The acts of May 1, 1802 and of May 3, 1802, respectively, provide for a division between strictly federal and strictly municipal administration, a division which today is represented, on the federal side, by the Superintendent of Public Buildings and Public Parks; and on the municipal side by the Commissioners of the District of Columbia.

The act also provided for a Circuit Court, of three judges, for the District of Columbia, and "that judges shall be resident therein." Also "for four sessions of said court annually in each of the two counties."

Other sections provided for a marshal, to have supervision of criminals, jails, etc.; for appeals to the Supreme Court of the United States; for Register of Wills and Orphans' Court; and that the towns of Alexandria and Georgetown shall not have their incorporations interfered with by the Act.

1802.—The act of May 1 provides that the offices of the commissioners authorized under the act of July 16, 1790, shall, on June 1, 1802, cease and determine; and that their functions shall be vested in a "superintendent, to be appointed by, and to be under the control of the President of the United States." This officer was later superseded by a commissioner of public buildings; and later by a superintendent of public buildings and public parks.

The act of May 3 was passed incorporating the inhabitants of the city of Washington. It provided that the inhabitants "be constituted a body politic and corporate, by the name of Mayor and Council of the city of Washington." It provided for the division of the city into three wards as already made into divisions by existing levy courts, and gave the corporation power to increase their number. The City Council was composed of twelve members, residents of the city, 25 years of age, to be divided into two chambers of 7 and 5 members, respectively. The second chamber of 5 was to be chosen from the whole number of councilors elected, by joint ballot, annually. The council was to receive election by the free white male inhabitants of full age who had resided 12 months in the city. The Mayor was to be appointed annually by the President and was given the veto power, which the Council was permitted to override by a

three-fourths vote. The Mayor must be a citizen of the United States, and a resident of the city prior to appointment.

1804.—On February 24 an amendment to the above act was adopted, which provided that the Council shall consist of two chambers of 9 members each, elected by distinct ballot.

1812.—On May 4 another amendment was adopted, which provided a substitution for the Council of a board of aldermen and a common council, the former to be chosen, two from each ward, and elected to two-year terms by the voters of the wards, and the common council to be chosen three from each ward, and elected for one year in the same manner. There were four wards at this period. The Mayor was to be elected by the Council.

This amendment also gave to the corporation "power to lay taxes on particular wards, parts or sections of the city for their particular local improvements," which, "after providing for all objects of a general nature," should be expended therein.

1816.—The House of Representatives formed a Committee on the District of Columbia.

1819.—The Senate formed a Committee on the District of Columbia.

1820.—The act of May 15 provided that the mayor should be elected by the people. It prohibited any tax on city property by the Levy Court. It made a division in municipal and Federal expenses by directing that the commissioner of public buildings should reimburse the municipal corporation "a just proportion of any expense which may hereafter be incurred, in laying open, paving or otherwise improving any of the streets or avenues in front of, or adjoining to, or which may pass through, or between, any of the public squares or reservations, which proportion shall be determined by a comparison of the length of the front, or fronts, of the said squares or reservations, of the United States, on any such street or avenue, with the whole extent of the two sides thereof; and he shall cause the curbstones to be set, and footways to be paved, on the side or sides of any such street or avenue, whenever the said corporation shall, by law, direct such improvements to be made by the proprietors of the lots on the opposite side of any such street or avenue; or adjacent to any such square or reservation; and he shall cause the footways to be paved, and the curbstones to be set, in front of any lot or lots belonging to the United States, when the like improvements shall be ordered by the corporation in front of the lots adjoining, or squares adjacent thereto; and he shall defray the expenses directed by this section, out of any moneys arising from the sale of lots in the city of Washington, and from no other fund."

The form of government thus provided for the District of Columbia remained in operation without important changes until 1871.

July 9, 1846.—Congress passed an act providing that territory ceded by Virginia be returned, on the ground that "no more territory ought to be held under the exclusive legislation given to Congress over the District which is the seat of the General Government than may be necessary and proper for the purposes of such seat"; and "experience hath shown that the portion of the District of Columbia ceded

to the United States by the State of Virginia has not been, nor is ever likely to be, necessary for that purpose"; and "the State of Virginia, by an act passed on the 3d day of February, 1846, hath signified her willingness to take back the said territory ceded as aforesaid."

#### *Period of Territorial Government*

**February 21, 1871.** Following the enfranchisement of the negroes in Washington in 1867, an agitation arose designed to curtail the measure of local self-government.

This movement culminated in 1871, when the Territorial Government, of which only the House of Delegates was elective, was established.

By the act creating the territorial government, Congress vested the executive power for the entire District of Columbia, which it constituted as a "body politic for municipal purposes," in a "governor, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall hold office for four years, and until his successor shall be appointed and qualified."

The governor was given the pardon power and the veto power, the latter subject to a two-thirds vote of both chambers of the municipal legislature.

A secretary, appointed in the same manner as the governor, was to serve in that capacity to the assembly and as governor in case of disability of the governor.

The legislative assembly was composed of a council of 11 members, appointed in the same manner as the governor, but with the qualification that two must be from Georgetown and two from the county, and a house of delegates which was elected from 22 population districts, by the male citizens over 21 years of age, who had resided in the District one year.

Township government was provided for that part of the District outside of the cities, with the privilege of electing their township officers, and these sections were exempted from taxation for city improvements of a local nature.

A Board of Health, of five members, and a Board of Public Works of four members, all to be appointed in the same manner as the governor, were provided for. The Governor was to serve as chairman of the Board of Public Works.

Restrictions were placed on the subjects of legislation, and provision made that all municipal laws were subject to repeal by Congress.

A delegate (without a vote) to the House of Representatives who should be a member of the House District Committee, was provided, to be elected by popular vote.

#### *The District's One Representative in Congress*

**Norman P. Chipman** was elected, under the act of February 21, 1871, which established a territorial government for the District of Columbia, as a delegate (without vote) to the 42nd Congress, receiving as a Republican 15,196 votes, as against 11,104 votes for his Democratic opponent, R. T. Merrick. He was re-elected to the 43rd Congress, receiving 12,443 votes, as against 7,042 for his Democratic opponent, L. G. Hine.

Mr. Chipman was born at Milford Center, Ohio, March 7, 1834. He was educated in Ohio public schools, Washington College in Iowa, and law school at Cincinnati. He practiced law at Washington, Iowa, before entering the Union Army as a private. At the close of the Civil War he was a colonel in the regular army, and at the close of the war was brevetted brigadier-general. He settled in Washington where he had been on duty for two years, and received appointment as Secretary of the Territorial Govern-

ment, after which he was elected to Congress. After the abolition of the Territorial Government, Mr. Chipman removed to California and entered the lumber business.

#### *Period of Commission Government.*

**1874.**—The Territorial Government, after functioning for three years, was abolished by the Act of June 20, 1874, the only provision that was not repealed being that the Delegate in Congress should finish out the term for which he was elected.

In place of the Territorial Government was established a commission form of Government, under which the District of Columbia is still governed.

**1878.**—The Act of June 11, 1878, the latest organic act providing for the government of the District of Columbia, makes the officers of the municipal corporation the three commissioners, two of whom are to be appointed by the President, by and with the advice and consent of the Senate, and the third designated from the Corps of Engineers of the Army. It is provided that the two civilian commissioners shall have been residents of the District three years before appointment and shall have claimed residence nowhere else.

This act provided that every year the Commissioners should submit to the Secretary of the Treasury a statement showing in detail the work proposed to be undertaken for the next fiscal year, with its estimated cost; also the cost of constructing, repairing and maintaining all bridges authorized by law across the Potomac River within the District of Columbia, and all other streams in the District; the cost of maintaining all public institutions; the expenses of the Washington Aqueduct through which the water supply of the city is conveyed; and the expenses of the District Government. It is specifically provided that none of the public works within the District then in control of United States authorities were transferred to the District by the act.

The Secretary of the Treasury, after passing upon the estimates, returns them to the District Commissioners, who transmit them to Congress. To the extent to which Congress approves of them, it was provided that Congress should appropriate 50 per cent thereof; and that the remaining 50 per cent should be levied upon taxable property and privileges in the District of Columbia.

Specific directions are given for procedure in all municipal work, letting contracts for street paving, sewers and other engineering operations.

The act abolished the board of health created in the Act of 1874, and substituted a health officer, who should be a physician, appointed by the District Commissioners.

The school board and the board of metropolitan police were also abolished, and the Commissioners given power to appoint officers and agents which might be necessary to carry into execution their duties. The trustees for the public schools were to be appointed by the Commissioners, to the number of nineteen, all of whom should be actual residents of the District.

Among changes which have been made in the provisions of the act in the half century since it was passed, one of the important ones is the change of the provision regarding the proportion the Federal Treasury should contribute to the budget from one-half to two-thirds. Another change abolished the proportion, and substituted a lump sum of \$9,000,000 annually, the total estimates generally being from \$35,000,000 to \$40,000,000, approximately.

Another amendment was the transfer of the appointment of the school board from the District Commissioners to the District Supreme Court.

## How the District of Columbia Is Governed Today

IT must be borne in mind, in an attempt to understand the governmental machinery of the National Capital, that it involves a twofold function. It is, on the one hand, a Federal territory, set apart by the Constitution of the United States as the seat of the National Government, while, on the other hand, the rights of those resident within the District, as American citizens, must be considered. The Government of the District of Columbia must, therefore, necessarily be adapted both to Federal and to municipal interests.

### Population

The population of Washington, by the census of 1920, was 437,000. Included in this number are the Federal employees of the Government, who, under the Civil Service apportionment, retain their citizenship in the States from which they receive appointment. The number of these in the District of Columbia is stated by the Civil Service Commission to be 59,800. In addition to these, Washington is also the residence of a large number of appointive Federal officials. Both of these classes must be considered in arriving at an estimate of the population within the District of Columbia which does not claim citizenship elsewhere. Such an estimate might be based upon the average size of the family in the District of Columbia as stated by the Census records of 1920, which give 4.5 members per family. Assuming then that the total number of Federal employees resident within the District, but claiming citizenship elsewhere, is not less than 60,000, they with their families would compose 270,000 of the 437,000 population given by the census in 1920, or more than half, leaving an estimated population of citizens of the District of 167,000. At the same time, there is no legal restraint upon the families of Federal employees as to the place of their citizenship, and if they are included in an estimate of the number of residents of the District who do not claim citizenship elsewhere, the number

of these is increased to 377,000, based on the total population of 1920. Many Federal employees are property owners in Washington, their children go to the Washington schools, and eventually merge into the business and social activities of the city.

### Congress, the Governing Body

Under provision of the United States Constitution Congress is granted the powers of "exclusive legislation in all cases" over the National Capital.

### The District Code

The existing District Code is compiled of Acts of Congress relating to the District of Columbia from 1801 up to and including June 7, 1924. Congress recently authorized the compilation of these statutes preparatory to a recodification of the laws of the District.

### District Legislation

In both Senate and House special committees are directly in charge of the District of Columbia. In the Senate this committee is composed of thirteen members and meets on Wednesdays during the session. The House Committee on the District of Columbia is composed of twenty-one members, and also meets Wednesdays.

The Committees on Public Buildings and Grounds of the Senate and House pass upon all bills for the acquisition of ground and the construction of buildings for Federal use, throughout the country, including the District of Columbia.

The appropriations for the District of Columbia are considered by special subcommittees of the House and Senate Appropriations Committees. The House subcommittee consists of five members, and the Senate subcommittee consists of seven members of the regular Appropriations Committee, together with three members from the Senate Committee on the District of Columbia, who sit with them unofficially.

## Administrative Agencies for Federal Interests in District

IN the administration of the various Federal interests in the District, permanent agencies have been established as follows: Public Buildings and Public Parks Office, the National Capital Park and Planning Commission, the Public Buildings Commission and the Fine Arts Commission.

### Public Buildings and Public Parks

The Director of this office is designated from the Engineer Corps of the Army by the President. This office has supervision over Federal buildings and grounds of the District, including the care of the grounds, heating, lighting, repairing, altering, cleaning and safety of the buildings.

The Director is also charged with the maintenance of the public parks of Washington, as well as the propagating gardens and greenhouses under his jurisdiction; the tourist camp; recreational activities, including concerts in summer by the Army, Navy and Marine bands; care of the fountains in Union Station plaza; and construction and maintenance of municipal bathing pools, golf links, tennis courts, etc.

The appropriation for these activities, with the exception of the care and maintenance of public buildings, is carried in the District appropriation bill, and for the year 1928 is \$347,000.

The policing of the parks is done by a force distinct from

the metropolitan police, known as the park police, directly responsible to the Director.

### National Capital Park and Planning Commission

On June 6, 1924, Congress passed an Act creating the National Capital Park Commission, whose duties were to preserve the flow of water in Rock Creek, to prevent pollution of Rock Creek and the Potomac and Anacostia Rivers, to preserve forests and natural scenery in and about Washington, and to provide for the comprehensive, systematic, and continuous development of the park, parkway, and playground system of the National Capital.

The administration of the Act was placed in the hands of the Director of Public Buildings and Public Parks. The full Commission was composed of the Chief of Engineers of the Army, the Engineer Commissioner of the District of Columbia, the Director of the National Park Service, the Chief of the Forest Service, the officer in charge of Public Buildings and Public Parks, and the chairmen of the Committees on Public Buildings and Grounds of the Senate and House.

The Commission had been rendered necessary because it was felt in Congress that Washington was lagging behind other cities in the development of a park system. The L'Enfant plan, prepared in 1791, provided for the city's

growth of almost 100 years. By 1890 the city had outgrown the old limits, and park areas were wanting in many of the new sections. Many forest-covered tracts in the outskirts of the city, including valleys and streams of great natural beauty, admirably located for park extension and of inestimable value for that purpose, had been destroyed, the trees cut down, the hills and valleys leveled. Up to 1923, the total cost of park land acquired in the Federal City amounted to \$3,589,998, with a total acreage of 2,058.

On April 30, 1926, Congress amended the law to include four experts in city planning, since which time the Commission is known as the National Capital Park and Planning Commission. These four experts, appointed by the President, are Frederic A. Delano, of Washington; Milton B. Medary, of Philadelphia; J. Clyde Nichols, of Kansas City, and Frederick Law Olmstead, of Palos Verdes, California. In place of the Chairmen of the Public Buildings and Grounds Committees of Congress, the chairmen of the respective Senate and House Committees on the District of Columbia were made members of the Commission.

#### *The Commission of Fine Arts*

This Commission, created by Congress in 1910, is composed of seven members, "well qualified judges of the fine arts," to be appointed by the President. The duty of this Commission is to advise upon the location of statues, fountains, and monuments in the public squares, streets and parks in the District of Columbia; the selection of models for

statues, fountains and monuments erected under the authority of the United States, and the selection of artists for their execution, as well as for medals, insignia and coins; and upon plans and designs for public structures and parks in the District of Columbia, and all matters involving art with which the Federal Government is concerned. The present members of this Commission are Charles Moore, Chairman, of Detroit; Ferruccio Vitale, New York City; H. Siddons Mowbray, Washington, Connecticut; Wm. Adams Delano, New York City; Lorado Taft, Chicago; Abram Garfield, Cleveland; Benjamin Wister Morris, New York City.

#### *Public Buildings Commission*

This is a joint Congressional Commission created under the legislative, executive and judicial appropriation bill of 1919, with absolute control over the allotment of space for public buildings, both Federal and municipal, in the District of Columbia. An amendment to the act, approved May 26, 1926, provided that no public building shall be erected in the District without the approval of the Commission, both as to site and design.

The Executive Officer of the Commission is Col. U. S. Grant, 3d, Director of Public Buildings and Public Parks. The membership is composed of Hon. Reed Smoot, Senator from Utah; Hon. Claude Swanson, Senator from Virginia; Hon. Richard Elliott, Representative from Indiana; Hon. Fritz G. Lanham, Representative from Texas; David Lynn, Architect of the Capitol; and James A. Wetmore, Acting Supervising Architect of the Treasury.

### *The Administration of the Municipal Government*

THE municipal government is administered by a Federal Commission of three member, whose powers are defined by statutes. Two of these Commissioners are required not to have claimed residence elsewhere for three years prior to appointment, and the third is detailed by the President from the Corps of Engineers of the United States Army. The two civilian Commissioners receive appointment by the President, subject to confirmation by the Senate. The qualifications of these two Commissioners are duly considered by the Senate Committee on the District of Columbia which reports on them to the Senate. Their term of office is three years and their salaries are at present \$7,500 annually. The Commissioners now serving are: Procter L. Dougherty (president of the board); Sidney F. Taliaferro and Lieut. Col. James Franklin Bell, U. S. A. (engineer Commissioner.) The Commissioners have assisting them the various offices requisite to the administration of municipal affairs, including the Fire Department; Police Department (Metropolitan Police); Health Department, and Director of Traffic. The composition of four of the outstanding Boards and Commissions, connected with the Municipal Government of the District, is as follows:

#### *The Board of Education*

This board is appointed by the Judges of the District Supreme Court and is composed of nine members.

#### *The Zoning Commission*

This Commission is composed of five members: the three District Commissioners, to represent municipal interests; and the Director of Public Buildings and Public Parks and the Architect of the Capitol, to represent Federal interests in the regulations made by the Commission.

#### *The Public Utilities Commission*

This Commission was created in 1914, by Congress, with

authority to regulate public utilities in the District of Columbia. It functioned for twelve years with the three District Commissioners composing the membership of the Commission, but the duties of the office were found to be too arduous to be longer carried by them, and Congress, by an act approved December 26, 1926, changed the personnel by providing for the appointment of two Commissioners, with salaries of \$7,500 per annum and retaining only the Engineer Commissioner from the personnel of the former Commission. These three compose the Commission.

In addition, the act provides for a people's counsel, who shall represent the people of the District of Columbia at all hearings and in all judicial proceedings involving the interests of users of the products furnished by public utilities, and shall appear for petitioners complaining of rates or service.

The Commissioners other than the Engineer Commissioner of the District must have been residents for three years of the District, and must not own stock or be otherwise interested in any public utility operating in the District. Their salaries are \$7,500 per annum, and their term of office is three years. They are appointed, as is the people's counsel, by the President, subject to confirmation by the Senate.

#### *Public Welfare Board*

On March 16, 1926, Congress created a Board of Public Welfare for the District of Columbia.

The board consists of nine members who shall be appointed by the Commissioners of the District of Columbia for terms of six years. No person shall be eligible for membership on the board who has not been a legal resident of the District of Columbia for at least three years. The members of the board serve without compensation.

The board has complete charge of the eleemosynary institutions of the District of Columbia.

## How the District of Columbia Is Financed

### Preparation.

ONE of the most important duties of the District Commissioners is the compilation of the budget covering the expenses of the District Government and its operations. The act of 1878 provided that half of this expense should be borne by the Federal Government and half from District taxes, with the further provision that assessments on real estate should not exceed \$1.50 on the \$100 of valuation. Under each regular annual District Appropriation Bill the District Commissioners are empowered to regulate the tax rate according to their estimate of the revenue required. In current practice it is their custom to advise with representative citizen and trade groups in fixing the tax rate and in apportioning the estimates. The half-and-half ratio was changed in 1920, to require 60 per cent of the budget to be met from District taxes, and 40 per cent from direct appropriation of Congress. In 1925 Congress, without changing the substantive law of apportionment, instituted the practice of contributing a lump sum of \$9,000,000 as its contribution to District expenses, it being held that at that time this amount was approximately conformatory to the statutory ratio. Since 1925 the lump sum contribution has continued in practice.

### Procedure.

After making up the estimates the District Commissioners forward them to the Bureau of the Budget of the Treasury Department. The Director of the Budget revises them and sends them back to the Commissioners with recommendations. They are then again submitted to the Budget Director, who holds hearings, and then fixes the amounts for the various items of the budget, which is then returned to the

District Commissioners who transmit it to Congress where it is subject to the same routine of the Committees on Appropriation and the two branches of Congress accorded the other regular annual appropriation measures.

The actual appropriations from 1922 to 1928, both inclusive, and the proportion contributed by the United States are as follows:

Fiscal Year	Appropriations	Amount charged to D. C. Revenues	Amount payable by United States
1922	\$22,977,411.07	\$13,784,647.70	\$9,192,763.37
1923	27,231,343.01	16,369,244.51	10,762,098.50
1924	20,505,454.41	12,424,349.78	8,081,104.63
1925	32,920,151.28	23,774,496.02	9,145,655.26
1926	31,651,730.38	22,651,658.38	9,000,092.00
1927	33,948,328.23	24,947,837.72	9,000,490.51
1928	34,691,175.00	25,691,175.00	9,000,000.00

The Assessor of the District of Columbia has recently submitted the following figures:

D. C. real estate assessed for taxes. For year	
1927-1928 .....	\$1,118,093,162.00
Plus new buildings for second half of year (estimated) .....	12,000,000.00
Total .....	\$1,130,093,162.00

At tax rate of \$1.70 per hundred, this produces a tax of .....

\$19,211,583.75

Tax exempt U. S. owned property, carefully estimated .....	\$470,000,000.00
Tax exempt foreign government owned property, estimated .....	4,000,000.00
Other real estate owned by charitable, educational, and religious organizations .....	70,000,000.00
District Government owns tax exempt property estimated at .....	50,000,000.00

## Plans to Beautify the National Capital

By Senator Arthur Capper

Chairman, Senate Committee on the District of Columbia

IT IS not unusual to meet people from cities other than Washington who apparently take little pride in their home towns, but I have yet to encounter anyone who has visited Washington who has not expressed a sense of delight with its beauty, its dignity, and its worthiness as the capital of this great nation. No one will assert that we have here a perfect city, but throughout the country there is the greatest interest in the beautification and improvement of Washington. Everywhere there is an enthusiastic desire that it shall be made the embodiment and living symbol of America's leadership among the nations of the world.

We have been trying to find means to restore Washington in its physical aspect to the high plane of beauty and utility it was originally intended to occupy. Major L'Enfant, who, under the direction of George Washington, prepared the original plans for the federal city, had first-hand knowledge of all the beautiful capitals of the world. Benefiting from their virtues, as well as their mistakes, he devised a comprehensive city plan that has never been excelled, in the estimation of those who are most familiar with the subject. But, as time went on, and the city grew in a spasmodic way, with many changes of administration and no continuing, guiding hand to control and direct the growth along the lines laid down in the L'Enfant plan, commercial and selfish interests had their way and will, and Washington became the poorer from the standpoint of civic beauty.

About 25 years ago, the McMillan plan was formulated for the purpose of again bringing about an orderly development of the National Capital. It closely followed the L'Enfant plan, but there was the same lack of "follow-up" by a continuing body of city-planning experts. The result was that a few years ago Congress awoke to the realization that Washington was being despoiled and disfigured by commercial interests, who were leveling hills, filling up valleys and ravines, cutting down beautiful groves of trees, and otherwise ruining the appearance of the city that above all others in America should typify the national love of culture, art and beauty.

To remedy the vital defect that existed in the L'Enfant plan, the McMillan plan, and others for the proper development of the District of Columbia, Congress created in 1924 what is now known as the National Capital Park and Planning Commission, and in 1926 gave it even broader powers. So we now have a permanent organization that can give continuous attention to the planning and development of Washington. It is made up of some of the foremost city-planning experts of the country—men of international reputation for their practical work in artistic municipal development.

In addition, we have as members of the Commission the Chief of Engineers of the Army, the Engineer Commissioner of the District of Columbia, the Director of the National

Park Service, the Chief of the Forest Service, the Director of Public Buildings and Public Parks of the National Capital, and the Chairman of the Senate and House Committees on the District of Columbia. We all serve without any other remuneration than the knowledge that we are privileged to participate in work that eventually will make Washington the finest and most beautiful city in the world. If that is not worth while, I do not know what is.

The duties of the Commission are to develop a comprehensive, consistent and co-ordinated plan for the National Capital and its environs in the States of Maryland and Virginia; to preserve the flow of water in Rock Creek, to prevent pollution of that stream and the Potomac and Anacostia Rivers; to preserve forests and natural scenery in and about Washington, and to provide for the comprehensive, systematic and continuous development of park and playground systems of the National Capital and its environs.

To accomplish these purposes, the Commission is charged with the duty of making recommendations to the proper executive authorities as to traffic and transportation problems; plats and subdivisions; highways, parks and parkways; school and library sites; playgrounds; drainage, sewer and water supply housing; building and zoning regulations; public and private buildings; bridges and waterfronts; commerce and industry; and other proper elements of city and regional planning. The Commission is given power to employ experts such as engineers, architects and landscape artists. It is given entire authority over highway layout, as well as power to acquire lands for park and playground purposes. We have authorized appropriation annually of a sum

equal to one cent for each inhabitant of the United States, for the support of the Commission's work.

The Government is about to launch a public buildings program in Washington that will involve the expenditure of \$50,000,000 and that will create on the Mall between the Capitol and the White House and Treasury the finest avenue in the world. To protect that development, and to protect the environment of other beautiful government structures, the Senate passed a bill during the recent session making it necessary to submit to the Fine Arts Commission, for their approval, the plans of buildings to be erected within 200 feet of public structures, but the bill did not pass the House. The purpose of the bill is to prevent a repetition of such a disgraceful situation as now exists on the north side of Pennsylvania Avenue. It also seeks to prevent the despoiling of Lafayette Park by the erection of structures architecturally unworthy of association with the White House.

We now have a Zoning Commission to give stability and protection to home as well as business areas, and the disposition of Congress and the courts is to broaden and extend the zoning powers so that commercialism shall not run rampant and destroy all that is beautiful and orderly in our civic development.

One of the worth-while things done for the National Capital by the 69th Congress was the appropriation of \$600,000 for the purchase of land to connect Rock Creek and Potomac Parks, so that we shall soon have a continuous park area and park drive probably unequalled in America. —*Extracts, see 14, p. 258.*

## The New Building Program for the Capital

By Senator Reed Smoot

Chairman, Senate Committee on Finance

**NOTE:** The bill authorizing \$50,000,000 for buildings in Washington was passed in the last Congress.

THE Act providing for the construction of certain public buildings in the District of Columbia makes provision for a number of new public buildings in Washington, the necessity for which has been most pressing for a number of years. Its provisions are in line with recommendations made by the Public Buildings Commission in its annual report, submitted to Congress on January 3, this year.

Generally speaking, the Act authorizes the expenditure of \$50,000,000 over a period of years for the construction of buildings for the following governmental activities: Department of Agriculture, Department of Commerce, General Accounting Office, Interstate Commerce Commission, Department of Justice, Department of Labor, Internal Revenue and other bureaus of the Treasury, a building for certain independent offices and bureaus, a warehouse for the General Supply Committee and other purchasing agencies, and an archives building. The Act provides that the entire building program shall be under the general supervision of the Public Buildings Commission. The commission is specifically charged with the following duties:

First—It shall make a study of the requirements of each department for which it is proposed to construct a building or buildings, with a view to determining the floor area and type of each.

Second—Designate the site upon which each building is to be located.

Third—Allocate the work of preparation of plans, estimates, and specifications, awarding of contracts, and super-

vision of construction and demolition among such qualified agencies of the Government as may seem desirable.

Fourth—Submit an annual estimate to the Bureau of the Budget showing in complete detail the various amounts it is proposed to expend during the following fiscal year and designating the various agencies who have been assigned construction work and the amount each is to receive.

The commission is firmly convinced that one authorization for the entire group of buildings, without any specific limit of cost on any of them, and placing the entire program under one central authority, is a far more satisfactory method of handling the matter than the piecemeal method of appropriating for one building; costs fluctuate greatly, and it is impossible to make a satisfactory estimate of the probable cost of a building a few months hence. A building which could be built for \$2,000,000 now might cost \$3,000,000 a year hence, so it can be seen that setting a limit of cost for each building might result in holding up the entire project until additional funds could be provided.

The commission is named as the body which shall exercise general supervision over the program because of the fact that for nearly five years it has had control of the allotment of space in the Federal buildings of the city and has necessarily acquired an intimate knowledge of conditions and the needs of the various departments and independent establishments.

By this method it will be possible to plan the locations of the various buildings in such a way that the activities of

*Continued on page 354*

## Should District Have National Representation?

NOTE.—To permit the citizens of the District of Columbia to vote for President and Vice-President and to have representation in Congress would require an amendment to the Constitution of the United States, which now provides that Congress shall exercise exclusive legislation over the District. This change would be equivalent to granting Statehood to the District of Columbia, which is now designated by the Constitution as a District. A measure to so amend the Constitution was introduced in the last Congress, but did not come to a vote.

### Pro

HON. PROCTOR L. DOUGHERTY

Commissioner, District of Columbia

THE strength of the movement for national representation lies in the appeal it makes to every Washingtonian, irrespective of sex, race, color or financial status, to combine with all other Washingtonians to secure a power and a benefit vital to the welfare of the community and to the American status of the Washingtonian. This inspiring appeal says to every one whose home is in Washington, "No matter what your views concerning local municipal government may be, no matter whether you favor or oppose the present commission form of municipal government; no matter whether you would overthrow the existing government; or radically or moderately amend it; or leave it unchanged, you can, without sacrifice of any views, you may entertain, join with other Washingtonians of diametrically opposing opinions concerning local government to fight shoulder to shoulder for national representation, which is of supreme importance to you all."

This attribute of vital common interest has brought to the vigorous support of the national representation cause in extraordinarily rapid succession practically every organization expressive of representative public opinion in the District; beginning with the chamber of commerce in 1916; extending soon to the Board of Trade, a body in which theretofore discussion of changes in the local government had been tabooed as completely as arguments over theological issues; to the equally conservative Merchant and Manufacturers' Association; to the Federation of Citizens' Associations then just beginning to come into its own as the organized representative on sectional lines of local public opinion; to the Central Labor Union, the powerful representative of organized labor in the District; to the Bar Association, the City Club, the influential organizations of women, and the long list of other organizations which complete the constituent members of the Citizens' Joint Committee on National Representation.

With many subdivisions, there are two main divisions of the great organized army which fights as the citizens' joint committee for national representation.

First—Those to whom representation in Congress and the electoral college and equality in access to the Federal courts constitute the maximum of desirable change in our political status. They wish to retain in substance the present form of local government; and

Second—Those who strongly desire, in addition to national representation, a radical revision of our form of local government, giving to the community in its municipal government also distinct representative power.

The Board of Trade, which has been so traditionally and consistently opposed to disturbing Federal control of the District that until a few years ago it would not even permit discussion of the subject, may be viewed as typical of the first division; and, as representative of the second the Central Labor Union, which has consistently and indiscriminately

*Continued on next page*

### Con

HON. WILLIAM HOWARD TAFT

Chief Justice, U. S. Supreme Court

THIS city is the home of the Government of the Nation, and when men who are just as much imbued with the principles of civil liberty as anyone who have come after, Washington at the head, put into the Constitution the provisions with reference to the Government of the District of Columbia they knew what they were doing and spoke for a coming possible 80,000,000 people, who should insist that the home of the Government of those people should be governed by the representatives of that 80,000,000 people; and that if there were in that 80,000,000 people men who desire to come and share in the grandeur of that capital and live in a city of magnificent beauty as this was, and enjoy all the privileges, then they come with their eyes open as to the character of the government that they were to have; and they must know that they must depend, not upon the principles ordinarily governing in popular government, but that they must trust in order to secure their liberty, to get their guaranties, they must trust to the Representatives of 80,000,000 of people, selected under that Constitution.

Now, I want to say, let the citizens act by right of petition, using the right continually; and as they are not exercising that right all the time, is it not possible to determine on the part of the committees of the House and the Senate what the attitude of the Washington citizens is? Why, the government that we have today in Washington everybody admits is a good government. Has it not been brought about through the aid of those very committees in the House and Senate, who you say know nothing about Washington and who make their knowledge or lack of knowledge ridiculous by showing it? We are all imperfect. We cannot expect perfect government; but what we ought to do is to pursue practical methods and not make it seem as if the people of Washington were suffering from some great and tremendous load and sorrow, when as a matter of fact they are the envy of the citizens of other cities.

Washington intended this to be a Federal city, and it is a Federal city, and it tangles down to the feet of every man, whether he comes from Washington city or Los Angeles or Texas, when he comes and walks the streets and starts to feel that this "is my city. I own a part of this capital, and I envy for the time being those who are able to spend their time here." I quite admit that there are defects in the system of government by which Congress is bound to look after the government of the District of Columbia. It could not be otherwise, under such a system. But I submit to the judgment of history that the results vindicate the foresight of the fathers.

Now, I am opposed to the franchise in the District. I am opposed, and not because I yield to anyone in support and my belief on the principles of self-government, but principles are applicable generally. And then, unless you make exceptions to the applications of these principles, you will find that they will carry you to very illogical and absurd

*Continued on next page*

**Pro**—continuedHON. PROCTOR L. DOUGHERTY—*Continued*

favored every proposition to give to the community participation in its government, whether that government was national or local. Organized labor has tended to favor every kind of voting whatsoever suggested by anybody for the District.

The national representation movement has captured Washington locally and has won its victory before the Senate District Committee because it had the hearty support of both these army divisions, that which favored a minimum and that which favored a maximum of District voting. The movement will be pushed to final victory only by the combined and hearty support of these two co-operating armies. Desertion of the cause by either will be fatal to a project which requires for success a two-thirds vote in each House of Congress and a three-fourths vote of the State legislatures.

Hardened as its members have become to the indifference and supineness of individuals, it has been a matter of astonishment to your committee that even among supposedly well-informed and well-intentioned people, even in the District, there is exhibited an appalling ignorance of the injustice and disabilities under which the disfranchised Washingtonian rests, and there appears to be an equally unaccountable lack of understanding of what is proposed to be accomplished by the pending joint resolution. A most striking illustration of this is the recent reply of the District Commissioners to the request of the chairman of the Senate Committee on the District of Columbia for a report on the Jones joint resolution. In that reply the commissioners said, in substance, that, inasmuch as it involved a change in the local form of government, they preferred not to submit a report. Since the joint resolution merely proposes to enlarge the powers of Congress by granting it authority to confer upon the people of Washington the right to participate in national elections, to have representation in Congress, and access to the Federal courts, it is difficult to understand how anyone could hold the view that it contemplates a change in the present form of local government. In this connection we wish particularly to emphasize the national aspects of our cause. As citizens of the United States the people of Washington have the same interest in national affairs as have any other citizens, and consequently are entitled to the same participation in the national Congress, in the election of President and Vice-President, and are entitled to the same right of access to the Federal courts.—*Extracts, see 6, p. 358.*

THEODORE W. NOYES

*Editor-in-Chief, The Evening Star, Washington, D. C.;  
Chairman, Citizens' Joint Com. on Nat. Represent'n*

**T**HE genuine American political birthright is not municipal self-government, but national representation through a Delegate in Congress when in the Territorial stage of development and through Senators and Representatives when the population, educational standards and the resources of a State have been attained.

The right to vote in the municipal government was possessed by Washington until 1871, when a Territorial form of government was established with the voting privilege in respect to one branch of the local legislature, and for a voteless Delegate in Congress. Since 1874 no voting for any part of the local government and no representation in the National Government has been enjoyed.

*Continued on page 353***Con**—continuedHON. WILLIAM HOWARD TAFT—*Continued*

results. This was taken out of the application of the principle of self-government in the very Constitution, and was intended to put that in force in every other part of the country; and it was done because it was intended to have the representatives of all the people in the country control this one city and to prevent its being controlled by the parochial spirit that would necessarily govern men who did not look beyond the city to the grandeur of the Nation. And this is the representative of that Nation.

I have got over being frightened by being told that I am forgetting the principles of the fathers. The principles of the fathers are maintained by those who maintain them with reason and according to the fitness of the thing, and not by those who are constantly shaking them before the mass of the voters for the purpose of misleading them. Now the question arises: What shall we do with the government of Washington? I am strongly in favor of maintaining the municipal form, so that everything which shall affect the city of Washington shall be done under the chief executive of that city and by that chief executive. In other words, I would give an entity to the city of Washington, or the District of Columbia, and take all of that entity out of the operation of the bureaus of the general government. That is what I understand to be the government today; and the only question that has been mooted is really whether one man should be put at the head of that government as a mayor, or whether you should have three. I agree that probably three men are better where you have real legislative functions to perform. I am inclined to think that where the legislative functions are reduced to a minimum and consist in little more than mere executive regulation that possibly the one-headed form is the better for executive purposes and to fix the responsibility.

Then, as to the opportunities for playgrounds that are in Washington. It just makes my mouth water for my poor city of Cincinnati when I look out and can see clear down to the Potomac six or seven baseball matches going on, with all the fervor of Young America and nobody to say to them "nay"; and to think that we had a genius 100 years ago, almost in his way as matchless as Washington, to make the plan for a great capital, like the Frenchman Pierre Charles E. de L'Enfant, and whose plans are hardly changed in the new plans made by Burnham and his associates. There has been a feeling that, perhaps, it was slipped on to us at one time and slipped in at another; but we all know that we are going to build up to that plan some day; and we ought to thank God that we have a plan like that to build to, so that when we go on with the improvements every dollar that we put in goes to make Washington beautiful 100 years hence.

It is very true that the early statutes said that no building should be put on anything but the Maryland side of the river; and, perhaps, the people felt that as we were not going to use that side for building, they did not need the Virginia side at all. I have never been able to satisfy myself that retrocession was within the power of Congress to make. It was dodged by the Supreme Court; and it might be possible by agitating the question to induce another settlement by which we should get the only part of that that we would really like to have, and we own now in fee the 1,100 acres of the Arlington estate, and a great deal that is unoccupied, leaving Alexandria out and Falls Church, and taking in only that that is inhabited, so that we may have in the District, under our fostering control, where we can build

*Continued on page 353*

## Should District Be Given Local Suffrage?

NOTE.—The right of the citizens of the District of Columbia to elect their local officials and a delegate to Congress (without a vote) could be granted by Congress without changing the Constitution of the United States, since Congress would retain control over District legislation, as provided by the Constitution.

### Pro

DR. GEORGE C. HAVENNER

Vice-President, Federation of Citizens Associations of the District of Columbia

FOR nearly a quarter of a century certain of our citizens have been working for what they style "national representation." After all these years of work we are today just where we started. The time has arrived when so-called "national representation" should be relegated to the rear and every effort made to secure local suffrage. Opinion is rapidly being cemented along this line and I look forward to seeing earnest demands made upon the Seventieth Congress by the citizens of the District of Columbia for the right to elect their own officers and to elect a delegate in Congress. This right can be granted by Congress at once, whereas the right to vote for President, Vice-President and members of Congress would require an amendment to the Constitution of the United States. To ask for "national representation" and to say that we do not wish local self-government is ridiculous. If we are not qualified to govern ourselves certainly we are not qualified to participate in the affairs of the nation.

The citizens of the National Capital pay both Federal and local taxes the same as the citizens of all other cities in the Union, but unlike the citizens of other cities we of Washington are debarred from participating in both local and national affairs. The citizens of Washington have no voice in the selection of their own municipal authorities nor do they have a spokesman in Congress.

If population, wealth and education are the foundation stones upon which the right to suffrage is predicated, then the citizens of Washington are entitled to the right to vote, as we have within the boundaries of the District of Columbia the population, the wealth and the education.

**Population**—The city of Washington has living within its borders over one-half million people. Its population is larger than that of the State of Arizona and Nevada combined, and more people live in the city of Washington than live in the State of Vermont, New Hampshire, Delaware, Idaho, Utah, New Mexico or Wyoming. Certainly, from a population standpoint, Washingtonians are entitled to a voice in the management of the affairs of the Nation's Capital.

**Education**—The Bureau of the Census defines illiteracy as inability to write any language—not necessarily English—regardless of ability to read. In its statistics for 1920 the per cent of illiteracy in population 10 years of age and over is only 2.8 for the District of Columbia. Our people are an educated class of citizens and are as capable of self-government as the citizens of any city in the Union.

**Wealth**—In its report on Estimated National Wealth for 1922 the Bureau of the Census estimates the wealth of the citizens of the District of Columbia at over one billion six hundred million dollars. This is more than is possessed by the people living in Nevada and New Mexico combined, more than is owned by the citizens of Vermont and Delaware combined, and more than is owned by the citizens of the

*Continued on page 354*

### Con

REAR ADMIRAL W. L. RODGERS, U. S. N., Ret.

Chairman, Dupont Circle Citizens Association

WE hear two principal arguments against this proposal. One turns on the right of citizens to suffrage, and the other on the advantage it would be to the government of the city were representatives to be in the two Houses of Congress. I do not think that either of these arguments is entirely conclusive.

The right to suffrage is valuable as a means to obtain good government when we do not have it. At present we have an excellent form of government in the District of Columbia, and we do not need the suffrage for our salvation.

However, whatever we may think of the abstract right to suffrage, in practice it is very largely an unfulfilled obligation. We know that throughout the country only about half of the people who have the right to vote actually exercise it, and only last week we heard the President telling the women, who made such a great agitation a few years ago for the suffrage, that they should exercise their right and perform their duty and vote. The President addressed the Daughters of the American Revolution at their meeting, and told them to perform their duty and vote. There is no reason to suppose that if we had the suffrage here in the District we would exercise the right any more fully than it is done in other parts of the country.

Then, as to the improvement in the Government, this measure is undoubtedly a first step toward full local government, which we had here 40 years ago, and which was so intolerable that it was altered to the present system. The municipal governments are not the best parts of the system of government in this country; and were we to have a municipal government here, we would be worse off than we are now. Our present government shines out among municipalities for its efficiency and honesty, and we would not gain by the change, although it is not now in prospect.

As to the improvement of the congressional rule of the District, we could scarcely find improvement there, either, for we now have 21 members of the House District Committee who are interested in the government. They give their honest attention to the thing. They are residents here a great part of the year. They are well acquainted with it. If we were to have two more representatives, they would not greatly affect the government.

We can now approach the committees of Congress, as I am doing now, and be sure of an attentive hearing, and if we were to have two representatives in the Senate and two more in the House, we would be no better off.

We also heard, last week, that the majority of the citizens of the District were for this measure, and it was pointed out in proof thereof that there were a great number of organizations which urged this point; but I heard nothing of what the majority in each organization was, which wished it. It is the manner of standpatters to stand pat, and when people are well contented they make no objection to the present system or to any system. I am unable to assert anything as to the desires of the majority, but I ask you to take that into your consideration, and urge that as we have a good government, we cannot profit by any change.—*Ext., see 16, p. 358.*

## Did Suffrage for District Prove Failure?

NOTE.—On the abolition of the Territorial Government of the District of Columbia in 1874, a select joint committee of Congress was appointed to frame a Government for the District. The form adopted on the recommendation of the majority report of the committee is substantially that of the Government of the District today.—Extracts from the majority and minority reports follow:

### Pro

#### THE MAJORITY REPORT

Submitted by Hon. Lot Myrick Morrill, Me., Republican

**A** GLANCE by the Committee at the history of the diverse experiments at government in the District, which became the actual seat of the Government of the United States in the year 1800, appeared to indicate that the recent summary proceedings of Congress in relation thereto seems to invite to efforts to avoid in the future a repetition of the past; while the unrestricted power conferred by the terms of the Act gave ample scope for the adoption of such methods as might be supposed better suited to the peculiar jurisdictional rights and duties of Congress in relation to the political capital of the nation.

The committee do not enter into the question of whether the inhabitants of the District, being citizens of the United States, might not constitutionally have conferred upon them the power of legislation and the rights of municipal governments; but conceding, for the purposes of this discussion, such authority in Congress to exist, it is plain that all proper exercise of it must be held in strict subordination to the paramount rights and interests which the American people have in their capital, and the obvious duty of Congress to protect and promote them to the exclusion of all interfering or incompatible interests. Nor is it perceived that the exercise of the exclusive authority of Congress, by express grant of the Constitution under the terms of the cession, would in any just sense impinge the rights of local or self-government. From the unqualified authority conferred upon Congress, and that the object to be affected thereby is the capital of the nation, all legislation for the District must be held to be national in its character, and primarily in the interests of the American people at large, and that will be so whether that legislation be direct by Congress, or by delegated authority. If this proposition needs to be enforced, it is believed to be necessary only to refer to the objects and circumstances of the acquisition of the territory exclusively for the seat of government of the United States. That the national capital might be exempt from the contingency of conflicting local and general authority, the particular States were to concede all jurisdictional rights over the territory to be acquired, and Congress was to "exercise exclusive legislation in all cases whatsoever over said District." The seat of the supreme executive, legislative, and judicial departments of the Government, serene in its isolation alike from conflicts of factions and the necessities of commerce, was to symbolize the national unity of a people in their purpose "to form a more perfect union, establish justice, insure domestic tranquillity, provide for the general defense, promote the general welfare, and secure the blessings of liberty."

Congress, by the terms of the Constitution, becomes the trustee of the nation, administers its trust in its interests, and may not share its trusteeship with another to the prejudice of the *cestui que trust*—the body of the American people. Committed to its exclusive care, for a special and sacred purpose, to Congress will be imputed the results of its execution, however deputed.

*Continued on next page*

### Con

#### THE MINORITY REPORT

Submitted by Hon. George E. Spencer, Ala., Democrat

**T**HE people of the District are to be bound by the contracts and by all the acts of the Commissioners, but with no voice in their appointment and no power to hold them responsible for any of their engagements, proceedings, or conduct [according to the proposed plan.] The people retire from legal consideration, but not from legal responsibility. The Commissioners succeed to all the power; they share in none of the responsibility of their own acts. The Commissioners constitute the municipality; they only bear its burdens and continue accountable for its liabilities. The people remain under this bill no rights whatever, except the right to be taxed. All other rights, all the power, and all the privileges of exercising the rights and powers of a municipal corporation vest exclusively in the three Commissioners. They are personally clothed with the functions of the body-politic.

They appoint all officers and agents, and the officers and agents so appointed become officially and actually the personal servants of the District. They are responsible only to the Commissioners; they are not responsible to the people. They are to execute the will of the Commissioners; they are not subject to the will or amenable to the displeasure of anybody but the Commissioners. They are the employees of a private corporation; they are not the employees of the aggregate body of the citizens of the District; yet the citizens are taxed for their support and are liable for their acts.

The Commissioners not only levy the taxes, but they collect them, and apportion and disburse the proceeds. They have the exclusive expenditure of all moneys derived from taxation or appropriated by Congress. The power to raise money, to collect it, and to expend it is placed in the same hands.

It is frequently asserted that the experiment of popular local government in the District of Columbia has been a failure, and that a change to some other form is necessary in order to prevent a further infliction of evils upon the community. The fallacy of this statement is that the change has already been made, and that the evils complained of arose out of that change. The late government of the District was not in any true or even comparative sense a popular government. The pretense only of an elective feature was preserved; all the actual power lay in the Governor and board of public works. Neither the legislative assembly, so called, nor the people of the District, were in any manner or degree responsible for the acts of that board, since neither had power to control the board in the slightest particular. The attempt to charge to the account of popular suffrage the acts of persons whom the suffrage could not reach is an absurdity.

From the foundation of the cities of Georgetown and Washington up to the period of the passage of the enfranchisement act, so called, those municipalities were conducted as successfully and satisfactorily as any other. Immediately upon the passage of that act, however, an attempt was set on foot to defeat its intent by changing the forms of government throughout the District, and abolishing suffrage altogether.

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**Pro—continued****THE MAJORITY REPORT—continued**

The inexpediency of the delegation of its authority, if it were not alike inconsistent with the exclusive character of its jurisdiction and the objects of acquisition, is believed to be sufficiently elucidated in the history of the exercise of delegated jurisdiction in the District. That of the cities, it may be remarked, with no purpose to comment thereon, proved essentially inadequate and inefficient; that more ample authority which succeeded, on the contrary, unhappily enterprising, ambitious, and expensive.

It is believed that the purposes for which this District was acquired will be best accomplished and the interests of all connected with its growth, prosperity, and destiny best subserved by the direct exercise by Congress of the authority devolved upon it. While the primary and paramount obligation and duty is and will be to the national capital, it may not be overlooked or forgotten that that capital is the residence of many tens of thousands of American citizens, to be supplemented, in the progress and development of the country, by other tens and hundreds of thousands, and that, independent of any question of conflicting interests or authority, it is plain that as regards expenditures for the improvement and adornment of the capital of a great nation, having at the same time a proper respect for the convenience, privileges, and immunities of a resident population and of those connected with the administration of the Government, a unity of interest must be assumed, and, it is believed, may be accredited to exist, in that the general welfare would necessarily seem to be included in the proper development of the design of the capital city. The demands for expenditures, as indicated in the disposition of its avenues and streets and numerous squares, will necessarily be upon a scale beyond what might reasonably be imposed upon or drawn from the resources of a business and resident population. These may properly be required to make that just contribution to the current annual expenses, the interest of the public debt and its ultimate payment, which a people so situated as compared with other communities may be required to pay for like protection, privileges, and immunities. The streets, avenues, squares and general plan of the capital city bear the impress of paramount and exclusive nationality: spacious and grand in design, dedicated to the sacred uses of a national capital, onerous and even intolerable as a charge upon private property, the provision for supervision of all suitable improvements and decorations obviously, properly, and imperatively devolves upon Congress, and it will, as it respects the character of its jurisdiction and the dignity of its trust, exercise a jealous care over it. The acquisition of this District, conceived in a supposed public necessity, suggested by a humiliating experience of the Congress of the Confederacy, its wisdom affirmed by kindred events in our recent history, should, it is submitted, be maintained intact by the body in which the Constitution vested the exclusive power.

These necessarily impose on Congress the duty of making provision for needful expenditures, as well as for their supervision, as for other branches of the public service.

The committee recommend, as best calculated to avoid a repetition of the errors and shortcomings of the past, and to promote the interests of all who are or may be in any way connected or associated with the national capital in the future, that Congress exercise that exclusive legislation over the District with which it is invested by the Constitution, and provide for the general superintendence of its affairs and the enforcement of the laws through officers and agents directly amenable to the supreme executive authority of the United States.—*Extracts, see 2, p. 358.*

**Con—continued****THE MINORITY REPORT—continued**

This attempt was renewed from year to year. Meanwhile the changes produced by the war had transformed Washington from a struggling village into a vigorous city. Improvements commensurate with the new condition were demanded. The city governments inaugurated such improvements. Those who had sought to overthrow the city governments for political reasons were re-inforced, or, quite as correctly speaking, replaced by others, who saw "millions" in obtaining an individual and irresponsible control over the charge and execution of these improvements. The machinations against the local municipalities finally succeeded. Some of the unfounded slanders which were invented to aid in this result, by discrediting popular government in the District, have been so often repeated that they have come to be believed. The truth is, however, that when the government of 1871 came into existence, it found a public debt of little more than \$3,000,000, the accumulation of sixty years of municipal administration, including the war-debt, and debts imposed from the financial embarrassments which the movement to overthrow the local governments had engendered. In four years only of executive government the debt had been increased to \$20,000,000, with proportionately far less to show for it than had the preceding original debt of \$3,000,000; and of this increase \$4,000,000 only had been authorized by the legislature or the people.

As a part of the "anomalous" condition of the District from which a denial of the right of the inhabitants to participate in its government is sought to be maintained, it is frequently asserted that the United States is the owner in fee of more than one-half of the real estate in the city of Washington, and therefore that in legislating for the District, Congress is only legislating for the protection of the property of the Government.

The land owned and occupied by the United States in the District of Columbia is a mere inconsequential fraction in area, and its value, except for the purposes of the Government, is no greater than that of any other in its neighborhood.

These two items, the public buildings and grounds, which constitute all the real estate in which the United States has any financial interest, are by no means one-half of the real-estate value of the District or of the city of Washington, nor are they by any means an unusual proportion of such value in comparison with the proportion of public to private property generally held at seats of national government. But whatever the amount or proportion of the Government property may be that is immaterial to the argument.

The property of the Government stands upon a wholly independent footing, and is not subject to municipal regulation. It was not derived at the expense of the District, nor is the District subject to the cost of its maintenance. It is cared for and protected exclusively by the United States. The jurisdiction exercised over it by Congress is of a special character. The laws by which it is governed are the laws of the United States, as distinguished from the laws of the United States relating to the District. The management of the Government property is not affected by the character of the local government of the District, nor is the latter in anywise related to the former. There is neither any conflict of jurisdiction, nor any commingling of it. There is no analogy or proper connection between the two subjects of legislation. And any attempt to unite the charge and management of the public buildings of the United States with the conduct of District affairs, by vesting both in the same hands, could not fail to be extremely disastrous—to the interests of the United States at least.—*Extracts, see 1, p. 358.*

## Is Present Fiscal Arrangement Fair to District?

NOTE.—For many years the fiscal relations between the Federal Government and the District of Columbia were on a fifty-fifty basis. In 1922 Congress changed this so that the District should pay 60 per cent and the Federal Government 40 per cent. In 1924 an amendment to the annual District appropriation bill provided that in lieu of 40 per cent Congress should each year pay a fixed sum as its share.

### Pro

HON. ROSS A. COLLINS

U. S. Representative, Mississippi, Democrat

THE question that we have to consider is whether or not the Congress is fair to the individual taxpayers of the District. I think the best way to consider it is by three methods. First, take the amount of governmental property used strictly for governmental purposes and compare it with the property owned by private individuals and corporations in the District, together with that owned by the District itself and that which is owned by the Government and used for strictly District purposes, and ascertain by this method the proportion of governmentally owned property used for governmental purposes as compared with all other property, and also the proportion of expense paid by the Government as compared with the amount paid by individual taxpayers.

In the consideration of this, we find that the United States Government owns property in the District of Columbia of the value of approximately \$380,516,000. This includes all of the property of the Government.

This \$380,516,000 of property of the Government within the District of Columbia is divided into these classes: First, governmentally owned buildings—and mind you, the figures I am giving you are the figures of the District assessor—buildings such as the Capitol, the Navy Yard and so on, and these amount to \$229,000,708. The other property that the United States Government owns in the District consists of parks, property used by the District of Columbia, and property that any other municipality would have to pay for out of municipal funds or the municipal treasury. Every park in the city of Washington is owned by the United States Government, and the taxpayers of the District of Columbia are getting the benefit of these parks. This property amounts to \$150,000,000.

The real estate and the personal property in the city of Washington, according to the assessor, amount to \$1,000,000,000. Intangible property in Washington, according to the same official, amounts to \$420,000,000. And in this connection I wish to state that his figures are perhaps inaccurate, because in the estimate of the amount of revenue that will come to the District, the auditor of the District fixes the intangible property at \$480,000,000, instead of \$460,000,000, so that the figures I have given are sufficiently low, or \$60,000,000 less than the figures of the auditor of the District.

Then there is exempt property in the District held by churches and schools and hospitals, and so on, amounting to \$53,372,000, and then the property of the District of Columbia amounts to a little over \$24,000,000.

If we add the property owned by the individual taxpayers of the District, the municipal property, the exempt property, and the amount of property in the District owned by the United States Government, which is used solely for the benefit of the people of the District and not one particle

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### Con

HON. SIDNEY F. TALIAFERRO

Commissioner, District of Columbia

UNDER a new law, we have just gone upon an annual assessment basis, and taxes are now payable semi-annually in September and March. We have heretofore had assessments every two years, and prior to that every three years.

The purpose of the change is, of course, to try to fairly keep pace with the fluctuation of values of real estate, whether it be an increase or a decrease. Because the latest assessment has shown a net increase of approximately fifteen per cent. (15%) on all the real estate assessed in the District of Columbia, there seems to be a more or less common impression that the assessments on all the real estate in the District of Columbia have been increased. Such is not the case, as there are certain sections where depreciations are reflected by a decrease in assessments. Happily, those instances are not numerous, because all of us, I am sure, welcome the fact that most of the real estate in the District of Columbia is steadily enhancing in value.

I know the conscientious care and the systematic methods employed by the Assessor and the Assistant Assessors in their work, and except for an occasional mistake which they are glad to correct, if brought to their attention within a reasonable time, I believe that every assessment of real estate in the District of Columbia can be justified to any reasonable and fair-minded man.

Under the last assessment, the assessed value of all taxable real estate in the District of Columbia is one billion one hundred thirty millions of dollars (\$1,130,000,000) in round figures. At a tax rate of one dollar seventy cents (\$1.70) per hundred, this property produces over nineteen millions of dollars (\$19,000,000) of the revenue of the District of Columbia, or a little more than half of our revenue. In addition to the foregoing, it is estimated that the District of Columbia owns real estate of fifty millions of dollars (\$50,000,000), which is exempt from taxation; that charitable, educational, and religious organizations own in the District of Columbia seventy millions of dollars (\$70,000,000) worth of real estate which is exempt from taxation; that foreign governments who are guests of the Nation own in the District of Columbia real estate valued at four millions of dollars (\$4,000,000) in round figures, which is exempt from taxation; and that the United States owns real estate in the District of Columbia of four hundred seventy millions of dollars (\$470,000,000), which is exempt from taxation. Every sale you make, and I might also almost say every rental you effect, has its bearing and influence upon this vast ownership of real estate.

All of us are deeply interested in the physical development of Washington, the Capital of the Nation, I believe that we are willing to pay our just share for the privilege of living

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HON. ROSS A. COLLINS—continued

of which is used by the Federal Government, we find that the total amount of all these classes of property in the District of Columbia is \$1,648,000,000, whereas the governmentally used property, owned by the Government in the District, is \$229,000,000. So we find that the governmentally used property in the District of Columbia amounts to less than 14 per cent of the entire property in the District.

Now, then, let us consider the question from another angle. The personal property and the real property in the District is assessed at \$17 per thousand, while intangible property is assessed at \$5 per thousand, and we find that the taxpayers of the District of Columbia are called on to pay in taxes this coming year [1927] the sum of \$19,325,000. The United States Government contributes \$9,000,000. It will immediately be assumed that the taxpayers of the District pay the difference between the amount carried in this appropriation bill of a little over \$33,000,000 and \$9,000,000, but that is not so. The taxpayers of the District, according to the estimates of the auditor of the District, will pay approximately \$19,325,000. How does he arrive at those figures? He arrives at them by taking the real estate and personal property in the District at \$17 per thousand, and that makes \$17,000,000, and then \$480,000,000 of intangible property in the District amounts to \$2,325,000. In other words, the total contribution to the expense of running the Government of the District of Columbia by the individual taxpayers of the District of Columbia amounts to \$19,325,000, and the Government of the United States expends \$9,000,000. So \$9,000,000 represents 46 per cent of the amount paid by the taxpayers of the District of Columbia, while the governmentally owned property in the District and used for strictly governmental purposes amounts to 14 per cent of the entire property in the District. So the charge that is frequently made that the Congress of the United States is unfair to the people of the District is manifestly untrue. The Congress is generous to a marked degree to the District, and any method of figuring it will demonstrate it beyond the peradventure of a doubt.

Now, let us consider the question from still another angle. Take all property owned by individuals and corporations in the District and ascertain the rate of taxation paid on this property as compared with rates paid by other property owners in cities of similar size or nearly similar size in other parts of the country, keeping in mind that the taxes paid here and levied by the Congress cover all taxes raised, while in other cities there are taxes paid not only to the municipalities but to the States, counties and other jurisdictions as well.

In the consideration of this phase of the subject I want you to bear in mind again that the individual taxpayers of the District on personal and real property pay \$1.70 per hundred, or \$17 per thousand, on a supposed full valuation.

I am now going to give you a comparison of tax rates, assessments, and so forth, in 24 American cities, and I am going to give you those tax rates of 1923. New York, on a 100 per cent basis of assessment, has a tax rate of \$27.50 per thousand, while the rate here is \$17 per thousand. In Chicago the tax rate is \$77.70 on a 50 per cent valuation; in Philadelphia, \$27 per thousand on a 100 per cent valuation; in St. Louis, \$25 per thousand on a 100 per cent valuation; in Baltimore, \$30.73 on a 100 per cent valuation; in Pittsburgh, \$36.75 on a 100 per cent valuation; in Milwaukee, \$29.15 on a 100 per cent valuation; in Buffalo, \$33.22 on a 100 per cent valuation; in Newark, a city of about the same size as Washington, \$37.80 on full valuation; in Cincinnati,

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HON. SIDNEY F. TALLAFERRO—continued

here—and it is a privilege. I do not believe the citizens should be called upon to carry more than a fair proportion of the load of developing and maintaining the District of Columbia. I have already said that the Federal Government owns tax exempt real estate estimated at four hundred and seventy millions of dollars (\$470,000,000). When the triangle property goes to Federal ownership, this total will be substantially increased. In my opinion, the tax exempt real estate owned by the Federal Government is but one of many items which should be taken into account in attempting to arrive at what is a fair division between the District and the Federal Government.

There are several such items which may be considered upon a mathematical basis, but in addition thereto there is a rather intangible element which should be taken into account in determining the amount to be contributed by the Federal Government. Expenditures in the District of Columbia are made on a larger scale, by reason of the fact that it is the Capital of the United States, than would be the case if this were not so.

The substantive law now in force, although many people do not realize it, is a sixty-four (60-40) basis. That is, that forty per cent. shall be paid by the United States Government. For several years the law has been annually set aside, but not repealed, by a lump sum appropriation of nine millions of dollars (\$9,000,000). I believe that Congress wishes to be fair to the District of Columbia. I am one of those who firmly believe that it would be right to have our appropriations on the basis of sixty-four, the substantive law, now in force, and I hope that Congress will appropriate on that basis for the next fiscal year.—*Extracts, see 13, p. 358.*

JOSHUA W. EVANS, JR.

*Chairman, Municipal Finance Committee, Washington  
Board of Trade*

**I**N considering the fiscal relationship between the Federal Government and the District, we must not overlook the fact that, different from other cities, Washington's taxable area is stationary. Suburban developments only tend to fill the coffers of Maryland and Virginia and withdraw taxpayers from the District. The great park plans for the city reduce the taxable area, as does the great Federal building development. For example, the recent condemnation of property on lower Pennsylvania Avenue, valued at something over \$800,000, will result in adding that much more to the tax-exempt area. This is but the first of a program that will take many millions from our tax list. The owners of this property will be forced to locate elsewhere, and, while many of them undoubtedly will locate within the confines of the District and thereby increase the value of property in other sections of the city, there are others who will, led by the comparatively lower value of land, locate either in nearby Maryland or Virginia, thus removing from the District a large source of revenue.

A fiscal relationship and taxation system that requires owners of 60 per cent of the taxable area, in terms of money value, to pay 74 per cent of the expenses of upkeep; that practically requires the citizens of the District to pay for the cost of maintaining a water supply system that furnishes the Federal Government with the water it uses and which is required to protect its property in case of fire; that takes from one type of business taxes that represent nearly 20 per cent

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HON. ROSS A. COLLINS—continued

\$22.74 on full valuation; in Jersey City, \$34.48 on full valuation. In every single instance nearly twice as much as the tax rate in the city of Washington.

Let us take all of the expenditures in the appropriation bill of 1927, separate them, deduct those that are expended for purely municipal purposes, and then ascertain of the remainder the proportion of the same that should be borne by the Federal Government. We find then that five-sixths of the items in this bill are such items as the sewage system, trash on streets, collection and disposal of waste and refuse, electrical department, inspection of building, plumbing and wiring, courts, and prisons, charities and corrections, medical charities, schools, playgrounds, libraries, and other strictly municipal activities, activities carried on by every city in the United States and out of which the Federal Government receives no benefit whatever. We find these items, in amount, are five-sixths of all the items in the bill and the rest of them, or the other one-sixth, are items such as roads, bridges, health, water, and so forth. Mind you, with reference to water, notwithstanding the fact that the water supply of this District is owned by the Federal Government, or largely owned by the Federal Government, still the Capital is supplied with water, or a large part of its water by another governmentally owned water plant. The interest of the United States Government in roads, bridges, health, water, and so forth, is certainly meager. These are items carried in every municipal budget in the country and it cannot be said that the United States should pay all the expense of carrying on these activities. But do we? Yes; these items which are part benefit to the National Government amount to approximately \$6,000,000; but the Government is not content to appropriate \$6,000,000 to take care of all of them, but appropriates the \$6,000,000 and \$3,000,000 more. So we are certainly fair in our dealings in this regard with the District.—*Extracts, see 8, p. 358.*

HON. LOUIS C. CRAMTON

U. S. Representative, Michigan, Republican

THE change proposed\* by me accomplishes three things which I think are desirable. It would protect the interests of the Federal Treasury at this time when its burdens are unprecedented, and when the taxpayers of the nation who are contributing such large amounts to the Federal Government have such tremendous tax burdens upon them in their own cities, counties and States. Second, it would make possible needed development in the District. This is a growing city, and we are not appropriating for it as rapidly as the needs of the District demand. It paves the way for the District to get improvements by increasing its own contribution and, because of the rapid increase in taxable property here, the local contribution can be constantly increased without any great increase in rate. Third, it would remove the year-by-year contention between the District and Congress. Congress constantly feels that the District is not paying its share of local expenses. On the other hand, the District feels that Congress is niggardly in District appropriations; that we do not take care of their needs for schools and sewers and streets, and so forth. But let this new arrangement be brought about with a fixed contribution by

\* Mr. Cramton is the author of the bill providing for an annual lump sum appropriation by Congress for the District which became a law in 1924.

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JOSHUA W. EVANS, JR.—continued

of the net income; that takes from a struggling wage-earner, who has saved \$1,000 and placed his earnings in a safe mortgage, practically 10 per cent of the income therefrom, certainly deserves our concern.

So far, the result of our survey shows that Washington stands second in the country in per capita assessment, being exceeded only by New York City. Washington's per capita assessment worked out to \$2,178 per person, and that of New York \$2,285 per person. Without any adjustments whatever or subtracting State and county taxes or taxes on account of bonded indebtedness, of which this city has none, but compared with the actual amount of taxes paid in each city, Washington stands fourteenth in per capita tax, and this after being compared with eighty of the greatest industrial centers of this country.

One significant fact outstanding in this survey, and one which cannot be altered by any minor adjustments that may be made, is that the assessments in the Nation's Capital are relatively very high. Washington real estate is assessed at \$1,150,000,000. When we realize that the city of Chicago, seven times our size, is only assessed at \$1,403,000,000; Milwaukee, at \$691,000,000, a little more than half of Washington's assessment; the great industrial city of Pittsburgh, \$1,060,000,000; Cincinnati, \$739,000,000; so on down the line, we begin to realize how mistaken a great number are when they begin to judge Washington's tax burden upon the question of the tax rate alone.

We must first bring the assessments to a common level and then make corresponding adjustments in the tax rates. For example, if city A assesses real estate upon a basis of 48 per cent of fair valuation and the rate is \$3 per hundred and city B assesses upon a basis of 96 per cent of fair valuation and the rate is \$1.50 per hundred, the tax burden is identical in each city.—*Extracts, see 12, p. 358.*

## CITIZENS' JOINT COMMITTEE ON FISCAL RELATIONS

*Between United States and District of Columbia*

THIS bill destroys the definite proportionate contribution system, under the beneficial operation of which the National Capital has wonderfully developed, and which after seven years of exhaustive investigation and prolonged discussion has been vindicated by retention in the 1922 law.

It destroys the unrepresented Capital's safeguard against excessive and unjust taxation. The compromise law of 1922, coupled with the imposition of new and heavier tax burdens upon the Capital, the vitally important offsetting benefit of retention of the principle of definite, proportionate contribution, the District's safeguard against excessive and unjust taxation by a taxing body in which it is not represented. This bill deprives the District of the only feature of the compromise law of 1922 which is entirely advantageous to the people of the Capital.

The vital feature of the act of 1922, carried over from the act of 1878, is that it fixes a definite equitable standard of national participation in Capital making, related to the contribution exacted in taxes from the Capital community, and does not leave this standard to the shiftings of caprice.

The pending proposition destroys all relation between the national and local contributions and, leaving all taxing power in the hands of the United States, deprives the un-

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HON. LOUIS C. CRAMTON—continued

the Federal Government; then when the District comes to Congress and says "We want a bigger appropriation; we want more sewers, more schools," Congress will realize that the District is asking for something that is to come out of its own pocket with no increase of burden on the Federal Treasury. The people of the District then, asking for larger appropriations, would be placed in a dignified position, and so long as their tax rate is reasonable and the things they ask for are wise and judicious, I do not know of any reason why Congress should refuse to give it to them under that condition. It is not the purpose to reduce particularly the amount now contributed by the Federal Government to local expenses, but it is rather my purpose to make it possible to increase the District contribution as much as the District may need and may desire without a parallel increase in the Federal contribution.

At the present time the tax rate of the District is \$1.20 per hundred. I am not going to take any time in arguing whether that is a low tax rate or not. Each one of you can compare it with conditions in your own home.

I do not care where you live, and regardless of basis of assessment, you must know that \$1.20 is a lower tax rate than prevails in your town or city. The Census Bureau reports that the average rate per \$100 of assessed valuation in the entire United States, town and counties, in 1922 was \$2.81. Certainly with a rate of \$1.20 in Washington some slight increase could be made without any hardship to anyone. In my little town we wanted a new school building, and it has boosted my tax this year very materially. I do not complain, because I know that we needed the school building, and that was the way to get it. We voted it out of our own money. If the people here want a new school building or to have new schools built more rapidly than is possible on the basis of present appropriations, let them pay with a little increase in taxes. An increase from \$1.20 to \$1.30 would produce a million and a half dollars additional. But, instead, notwithstanding, a reserve is being built up, the rate, which was \$1.30, has been reduced to \$1.20 and, on the present program, will be further reduced in the near future.

This city is building up rapidly, and as it does build up these thousands of new homes and apartments will furnish more material for taxation, so that even at the present rate of \$1.20 there will come a considerable constant increase in the amount raised by taxes here. That means a reduction in the rate or an increase in the Federal contribution. I can plainly see in the near future, under the present plan, there will be a constantly decreasing local tax rate, accompanied by a discreditable holding back of needed public improvements, or a rapid decrease of the Federal contribution to \$10,000,000 to \$12,000,000, or to \$15,000,000. I am equally opposed to both alternatives.

Some impression of the rapid building up of Washington, its surprising expansion, the rapid increase in taxable property, may be obtained from the following statement of building operations given me by the District officials, the years referred to being the fiscal years ending June 30:

1910—No. of permits, 10,837; valuation, \$16,431,946.

1920—No. of permits, 8195; valuation, \$22,659,452.

1921—No. of permits, 8561; valuation, \$19,025,291.

1922—No. of permits, 10,997; valuation, \$36,223,089.

1923—No. of permits, 13,296; valuation, \$57,690,038.

1923—July 1, 1923, to March 31, 1924—Number of permits, 5762; valuation, \$26,928,530.

I have been here for 12 years, and I have seen a wonder-

*Continued on page 353*

**Con—continued**

CITIZENS' JOINT COMMITTEE ON FISCAL RELATIONS—continued

represented Capital of its safeguard against excessive taxation by a taxing body in which it is not represented.

To raise now the issue of a lump-sum payment substitute for a definite proportionate contribution by the Nation is to reopen the fiscal relations peace settlement of June 29, 1922, and to plunge the House and the Senate into the old, wearisome wrangle, so hurtful to the District, over the issue of definite or indefinite proportionate contribution toward Capital upbuilding and over the ratio (50-50 or 60-40) of definite proportionate contribution.

The avowed purpose and promised result of the new law were to bring to House and Senate and people of the District a period of wholesome and refreshing rest from fiscal-relations controversy. If the act of 1922 is left for a few years to work out its vindication on its merits, or its failure on its demerits, this needed rest will be secured. If the old controversy over definite proportionate contribution is to be renewed by compulsory discussion of this bill, this rest will be denied, one of the avowed main purposes of the act of 1922 will be defeated, and the understanding upon which this compromise legislation was based will be flagrantly violated.

It teaches a false theory concerning the relation of Nation to Capital.

It obtrudes annually upon the attention of Congress the suggestion of a large cash donation to the Capital, as if the primary obligations of national city upbuilding were upon the local taxpayers, and the Nation were only an incidental contributor, a voluntary and benevolent donor. Since the Nation in 1878 recognized and assumed its National Capital power and obligation, its responsibility in respect to the Capital has been primary and dominating. As late as 1916 this relation of Nation to Capital was fully recognized and clearly set forth in the report of the joint select committee of Congress, which made the most thorough, exhaustive, and able study of the fiscal relations of Nation and Capital that statesmen had given to the subject since 1874-1878. As long as all the assets and revenues of the national and local joint contributors toward Capital upbuilding are in the hands of the national joint contributor, and as long as all decisions concerning the amounts to be paid by the joint contributors, respectively, and concerning the expenditure of the joint revenues are to be made by the national contributor, the latter must in equity, and will, in fact, bear the primary responsibility of Capital upbuilding, and the local taxpayers will be recognized in their true relation as merely incidental contributors of tax money, not fixed in amount by themselves, but exacted at the pleasure of the other joint contributor.

It reduces to a minimum or destroys any chance of equitable proportionate contribution by the United States in appropriating and spending the District's accumulated Treasury tax surplus.

Another practical effect of destroying the 60-40 ratio will be to reduce to a minimum any chance of equitable proportionate contribution by the United States when our accumulated tax surplus comes to be expended. This tax money was collected by authority of the half-and-half law solely to apply upon the District's half of District appropriations. Whenever it is expended, it would be equitable to spend it under the half-and-half law, the United States duplicating it. If when the surplus comes to be used the proportionate contributions are on the 60-40 ratio the Nation through Congress will either apply, as equity seems to demand, the 50-50 ratio, or will make the existing 60-40 ratio retro-

*Continued on page 353*

## Should Potomac Be Used for Power Development?

NOTE.—There is pending before the Federal Power Commission an application from a private corporation for a preliminary permit to utilize the Great Falls of the Potomac for hydro-electric power.

### Pro

ROBERT J. BULKLEY

*President, Potomac River Corporation*

FLOODS are destructive and, when they reach the volume of the flood in 1889, or even that of 1924, they do great damage. In fact, at such times, the unrestrained river presents, so far as concerns the National Capital, some of the dangers noticed in the brief of the National Capital Park and Planning Commission, while in other localities it does all the harm and creates all the danger to life and property that usually characterize great floods everywhere, those of the Mississippi River being a recent familiar example. Obviously such conditions are not conducive to the use and enjoyment of a park that might be created to include the portions of the river banks below flood levels.

Extreme low flow creates all along the Potomac unsightly and unsanitary conditions fully as objectionable as those due to floods, and such conditions generally exist during the summer and early fall months, the period devoted by people of moderate means to vacations and outdoor recreation.

Our proposal is to equalize the flow of the Potomac as far as now appears to be commercially feasible. The average annual run-off of the Potomac is 8,616,000 acre feet. At present we feel that we are warranted in planning to create reservoirs to store about one-fifth of this run-off, from 1,400,000 to 1,600,000 acre feet, as a means of raising the minimum flow to 6,000 cubic feet per second.

The effect of this storage on floods is sure to be beneficial and may prove to be of vital consequence. Its effect on the river and on Great Falls will be most helpful during the periods of prolonged low water, when, at every point below the confluence of the South Branch of the Potomac, the discharge will be increased from the extremely small natural flow to an amount reasonably adequate for scenic and sanitary conditions.

These reservoirs will be costly. They cannot be created as part of a power project unless the opportunity is afforded to utilize the stored water through a sufficient head. We have hitherto figured that the head of about 260 feet, proposed by us to be developed, represents the minimum that must be made available if the reservoirs are to be created.

Thus, unless the dams at Chain Bridge and Great Falls are authorized, the reservoirs will not be created, and, as a result, there will be perpetuated natural conditions of flow affecting unfavorably not only the very park in which the Park and Planning Commission is interested but also a far larger area of superior recreational value extending from near Cumberland to Great Falls.

During a large portion of every year the Potomac, at and below Great Falls, discharges a puny trickle through a mass of dark, damp, and depressing looking rocks and at such times neither the falls nor the rapids contribute to the enjoyment as much as would the quiet waters of an ample and well supplied lake, one whose level is held practically constant at all seasons.

Moreover, it is not a fact that Great Falls would be done

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### Con

FREDERICK A. DELANO

*President, American Civic Association*

THE American Civic Association supports the National Capital Park and Planning Commission in its plan to establish a parkway from Mount Vernon to Great Falls and to preserve in its natural condition the banks of the Potomac which are yet unspoiled. It seems to us that proposals to erect dams at Great Falls and Chain Bridge would be inconsistent with the park project, and we therefore oppose the issuance of a preliminary permit to any power company which would involve any changes in the water levels or the banks of the river or which would control the flow of the water over the falls.

Since the Federal City is not and should not be an industrial city, and since the park plan is of the utmost importance to the National Capital, it seems to us unnecessary to permit money to be spent in surveys with the idea of weighing carefully the economic, social and physical results of power development when the power developed would prove a liability and not an asset of the Nation's Capital. Surely the people of the United States will desire to protect their Capital City from an industrial development inconsistent with its service as the seat of the Federal Government.

Great sums of money have already been spent in the erection of monuments and buildings along the river front. The Lincoln Memorial, the Arlington Bridge, the Pan American Union and Potomac Park are valued possessions of the American people. More money will be lavished on the historic areas around the White House. It seems to us highly inconsistent to permit the erection of a dam which would store a great volume of water which, if released by accident or sabotage, might damage these shrines of the Nation.—  
*Extracts, see 5, p. 358.*

COL. ULYSSES S. GRANT, 3RD

*Executive, National Capital Park and Planning Commission*

THE park project adopted by the National Capital Park and Planning Commission contemplates the preservation of the natural scenery in the valley and gorge of the Potomac and about Great Falls by acquisition of the entire gorge from the hill tops on one side to those on the other, with suitable drives, bridle paths, and footways, so as to make the scenery accessible, with landing and boat houses as needed for the indefinitely expanding use of the river for pleasure boating and canoeing, and with picnic places, etc., accessible by land and water.

It is possible to attempt a statement of the power value of a stream in dollars and cents; although, in this case, where adequate power may easily be obtained otherwise at a reasonable cost, and in which the cost arrived at for water power is largely dependent upon assumptions as to market and load conditions that do not exist, such an estimate is necessarily more a matter of opinion than of established fact. Unfortunately the scenic and recreational values of a great national

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**Pro—continued****ROBERT J. BULKLEY—continued**

away with. During all periods when the natural flow, as modified by our reservoirs, would exceed 6,000 cubic feet per second, water would discharge over the Great Falls. With moderate or high river stages, the discharge over the Great Falls would be little different from the present state. When the river discharge was very low, the power project would undoubtedly interfere with the flow over the Great Falls and we admit that Little Falls and the rapids would be permanently obliterated. We believe that the creation of a fine lake, with the opportunity that it would give for boating, swimming, and other forms of outdoor recreation, would amply compensate for the losses to which the Park and Planning Commission refers.

It has not appeared that Congress is seriously contemplating the development of water power at Great Falls and, in fact, Congress has never shown any definite intention to make this development. On the other hand, it undoubtedly has twice ordered investigations of this project to be made and reports to be rendered.

The facts are as follows: The Act of Congress approved June 26, 1912, directed the Secretary of War to investigate and report to Congress on the "availability of the water power at said Great Falls or vicinity on the Potomac River, or between Great Falls and the District of Columbia, for the purpose of supplying light and power, for uses of the United States and the District of Columbia."

The report of this investigation, known as the Langfitt report, was submitted to Congress on February 14, 1913. It recommended a combined water supply and power project, the principal element of which was a power dam substantially similar to that of the Tyler project, to be considered in the next paragraph. Nothing was done by Congress looking toward the adoption of this plan.

Section 7 of the Federal Water Power Act directed the Federal Power Commission to investigate the economic value of the power plant recommended in the Langfitt report and to report to Congress on its cost and economic value.

This report, known as the Tyler report, was presented to Congress on February 14, 1921. Since that time, Congress, as a body, has done nothing to indicate its substantial purpose to proceed with the water power portion of the project recommended in the Tyler report, while, on the other hand, it has actually adopted the water supply part of the report.

It is true that the Senate has three times passed the so-called Norris bill, the third and last time being on July 10, 1924, but it is to be noted that this bill simply authorized the Secretary of War "to construct all the dams and other necessary works for the development of hydro-electric power" of the Tyler project, but made no appropriation therefor.

This bill was never passed by the House of Representatives, nor has the House ever signified any active interest in the Tyler report. It certainly has never hinted at a willingness to make the appropriation necessary for its construction.—*Extracts, see 5, p. 358.*

**HON. GEORGE W. NORRIS***United States Senator, Nebraska, Republican*

**A**BOUT ten or fifteen years ago an appropriation of \$20,000 was made for the purpose of having a survey and a report made as to means to enable the officials to increase the water supply of the District of Columbia and develop the water power. At that time, and for several years afterwards, there was quite an agitation against any improvement which would interfere with the beauty of Great

*Continued on next page***Con—continued****COL. U. S. GRANT, 3RD—continued**

asset, like the upper Potomac, cannot be reduced for purposes of comparison to even such an approximation, however illusory it may be admitted to be. It is, therefore, only possible at this time to invite attention to the larger expenditures already made or contemplated in other cities and States of our country to secure and preserve for the public benefit less unusual, or at least no more valuable, areas of natural beauty, and then to the recognition which the scenic and recreational values of the Great Falls and gorge of the Potomac have already received from persons of discrimination and special knowledge of such matters.

That most sympathetic, competent and internationally recognized student of our country, Lord Bryce, in describing the scenic attractions and recreational opportunities about Washington, especially called attention to the fact that "No European city has so noble a cataract in its vicinity as the Great Falls of the Potomac, a magnificent piece of scenery which you will, of course, always preserve."

The idea of a drive along the bluff or along the canal at least to Great Falls has long been a dream of those interested in Washington, and was an important and integral part of the plan of the Senate Park Commission of 1901:

"The beauty of the scenery along the route of this noble riverside improvement is so rare and, in the minds of the Commission, of so great value not only to all Washington, but to all visitors, American and foreign, that it should be safeguarded in every way. No building should be allowed between the river and the drives, and no change should come to pass in the character of the canal that will tend to transform its primitive character and quaint beauty. The canal has a charm of its own; half disclosed and half revealed, it winds among the trees; and not the least part of this charm, so desirable to be preserved, is the slow, old-fashioned movements of the boats and of the people on and near this ancient waterway. Already the canal is used, aside from the navigation of commerce, by pleasure seekers in canoes, and by excursion parties in various craft."

A city, especially set aside for the seat of a great and enlightened country, in the building of which millions of national treasure have been expended, on which the best thoughts and efforts of its greatest citizens have been lavished, and in which are the archives, State mementoes and works of art, both irreplaceable and of inestimable administrative and historical value, such a city surely seems to deserve special solicitude and protection against every avoidable risk. A Capital like this need hardly be exposed to even such an unlikely danger as might be gladly and perhaps wisely accepted by a city dependent upon promptly grasping every economic advantage to survive in the competition for existence with its rivals. To be sure, dams are always designed to be safe against any foreseeable cause of failure; but still dams do at times fail, contrary to all expectations. In addition to such an accident, the possibility of destruction by hostile air attack or demolition in time of war must be considered.

Since an added discharge of about 390,000 cubic feet per second raises the Potomac River at Washington to about eight feet above mean low water, it is evident that the sudden release from the Chain Bridge dam of 4,560,000,000 cubic feet of water with a maximum head of 115 feet would be no less than a great catastrophe, imperiling the foundations of the Lincoln Memorial, the Washington Monument, such important buildings as the Academy of Sciences, the Pan American Building, the Arlington Memorial Bridge,

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HON. GEORGE W. NORRIS—continued

Falls, and the development which was proposed by Colonel Langfitt, whose survey was up to that time the most complete as to the water power possibilities of the Potomac River that had ever been made in the history of the country, did not contemplate the destruction of the scenic beauty of Great Falls. The next survey that was made did provide for a development which would interfere with the falls. The item provided for the construction of two dams. There were several others contemplated, but there were to be two main dams in the Potomac River. One was in the same place where Langfitt's report put it, at the District line, making the same sort of a lake, 9 miles long; but to add to the power there was to be constructed another dam up farther to get the benefit of the drop of the water which comes over the falls, a development which, as far as financial considerations are concerned, would be cheaper than the other, and would add greatly to the power possibilities, increasing them about a third.

It is a moral sin, an economic sin, that the water going down the Potomac River, which would make power enough to turn every wheel in the District of Columbia, light every home and every street, should go to waste year after year, year after year, that wonderful water tumbling down over the rocks within sight of the dome of the Capitol. Yet we talk of efficiency, we talk of conservation, and we go out and preach conservation, when at our very feet there is tumbling down the power that would save 140,000 tons of coal in the Capital City every winter, with coal at \$15.50 a ton.

It is almost enough to drive a man insane to think that an intelligent Government, that wise statesmen under the Capitol dome, should year after year throw aside public money to make surveys which always tell the same story of great power possibilities unharnessed going to waste down to the sea, as they have been for the hundreds of years that have passed, we sitting idly by while it goes on, spending the money of the people for other purposes, when every light that shines in the District of Columbia, every car that runs, every wheel that turns, every house that has a light ought to be supplied and furnished by this great white power.—*Extracts, see 7, p. 358.*

O. M. KILE

*Citizens' Association, Glen Echo Heights, Maryland*

**I**T is the belief of our organization that almost any kind of development of the river would be a scenic improvement as compared with its present state for a distance of seven or eight miles above Chain Bridge. Naturally, it is assumed that due restrictions will be imposed upon any company or body that is granted the privilege of undertaking this development, but we are willing to consider the question on the issue of beauty alone.

We who have lived along the upper Potomac for years and intimately know its character to and beyond Great Falls, assert and believe we can prove that a clear-water lake nestling in the natural lake bed between the Virginia highlands on the one side and the Maryland highlands on the other, bordered by magnificent woodlands and broad curving driveways, would be a thing of surpassing beauty as compared with the muddy, shallow, tortuous, quickly rising and falling stream that we find impossible to utilize in any adequate way.

But the Park Planning Commissioners seem to fear that

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COL. U. S. GRANT, 3RD—continued

and many lesser structures, as well as involving a great loss of life and property.

Another matter which gives the Commission concern and which from a purely planning standpoint indicates it to be inadvisable to approve this water power development at the very doors of Washington, is the change of character of the city that must follow throwing a volume of power on the market so far exceeding the existing demand. The studies heretofore made do not indicate the likelihood of developing water power at a cost sufficiently below that of steam generated power to justify the hope that any great reduction in cost to the consumers will be possible; but they uniformly indicated that an amount of power considerably exceeding the present requirements must be generated and sold if the project is to be financially feasible at all. The availability of such a large output means that a market will have to be created for it by modern intensive selling methods, which can only be done by artificially inducing a rapid development of industries requiring electric power.

In view of the foregoing considerations, the National Capital Park and Planning Commission requests, on behalf of the public interests with which it is more especially charged, that the great value to the public of preserving the natural character of Great Falls and the Gorge of the Potomac River by carrying out the approved park project be carefully weighed against any monetary advantage that may be found to be promised by the water power project. Should it become an economic necessity in the future, the water power project can always be constructed. Once destroyed, the present natural wonder of the Falls and rapids and palisades, with their fauna and flora, could probably never be reproduced, certainly not for centuries.—*Extracts, see 10, p. 358.*

## THE COMMISSIONERS OF THE DISTRICT OF COLUMBIA

**T**HE Commissioners are especially interested in the effect that this or any similar project might have upon the preservation of the water supply of Washington, the preservation and utilization of park areas for the National Capital, and the general development of the city and its environs.

With regard to the first of these matters, it is vital that any project for the development of water power at Great Falls should give adequate protection to the rights of the District of Columbia and of the United States of America to draw from the river, at or above Great Falls, a supply of water adequate not only for the present needs of the city of Washington and the District of Columbia, but also for the needs of the ultimate population of the District. In this connection the fact that Congress has authorized a certain quantity of water to be delivered to Arlington County, Virginia, and may authorize additional deliveries of this sort, should be borne in mind.

With regard to the second point, the possibility of the utilization of the Potomac gorge, Great Falls, and the shores above Great Falls, as a National Park, connected with the park system within the District of Columbia and of the neighboring States, should be fully protected. While practically all the territory involved in this project is outside the limits of the District, and therefore beyond the control of the District Commissioners, the plans of the National Capital Park and Planning Commission for the utilization of this

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O. M. KILE—continued

Great Falls and the gorge below the falls would be destroyed. The present swift waters beginning a few hundred feet below the falls would be changed to more quiet water, it is true. But the cliffs would be there, just as high above the water level and as impressive as at present for some distance below the falls. The drowning out would not be particularly noticeable until a point is reached further below the falls than is usually observed by visitors to the main cataract.

By requiring the dam above Great Falls to be set back a quarter of a mile or so and arranging that a certain amount of water be permitted to continue to flow over the falls, the natural beauty of this cataract need not materially be interfered with.

We are not prepared to argue the relative merits of government development versus private development of Potomac power, nor yet the merits of the particular application before the Federal Power Commission.—*Extracts, see 9, p. 358.*

THEODORE W. NOYES—continued from p. 342

Retaining exclusive jurisdiction, Congress may propose a Constitutional amendment giving the District representation in the bodies which legislate for it and tax it, a voice as to the President, who is to appoint the commissioners to manage its local affairs and, in general, except as to the privilege of choosing town or county officers, to place the residents of the District upon the same footing as the citizens of the several States. Enjoying representation in Congress and participation in the choice of the President, who appoints local officers, Washington would resemble in its municipal government a city which, after voting for the governor and legislature of a State, is managed by a commission appointed by the former and approved by the latter. Under this plan the suggestions made in respect to the duty of the Members of Congress as the exclusive legislators for the capital would still be applicable; the present financial arrangements would be maintained; the expensive transportation of office-holding voters to the States would, after the abolition of the office apportionment system, be avoided; the rights of the residents of the District as American citizens would be recognized in a manner which would inflict the smallest possible injury upon the interests of the city as capital of the United States, and this body of territory with all its patriotic associations would be preserved to the Union.—*Extracts, see 4, p. 358.*

HON. LOUIS C. CRAMTON—continued from p. 349

ful development of the city in that time, but the Government activities have not increased materially. What the United States should contribute I think is based on two things: First, the amount ought to be sufficient to be a fair repayment for what the Government gets here in the way of police protection, and so forth, in lieu of taxation; and second, there should be some contribution by the nation in the upbuilding of the Capital City to make it beautiful. But there is a limit beyond which we cannot afford to go for that purpose, especially in these post-war days when the burden of taxation everywhere, except in Washington, is so distressing.

I urge this, first, in the interest of the Federal Treasury, and, second, in the interest of the District of Columbia. This city is, I repeat, growing rapidly. It is not able to get

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COMMISSIONERS OF THE DISTRICT—continued

area for park purposes are in their general features endorsed by the Commissioners of the District of Columbia.

With regard to the third point, it is the opinion of the Commissioners that the development of additional electric power might operate to the advantage of the District of Columbia, provided that power not in excess of the needs of the city should be developed and delivered to the local consumers at prices lower than it can be produced from other sources. The development of additional power in sufficient amount and at sufficiently low cost to induce the electrification of the railroads entering Washington would also be beneficial to the city. Any excess power over and above these needs is not regarded by the Commissioners as especially beneficial to the District, since the tendency might be to foster the establishment of industrial enterprises in or near Washington.—*Extracts, see 9, p. 358.*

HON. WILLIAM HOWARD TAFT—continued from p. 342

roads and make the District still more beautiful that bank of the Potomac on the other side as you go up toward Cabin John Bridge. We will need it—the city will continue to grow. Washington, who doubtless inserted that particular provision in the Constitution, through his influence, also had L'Enfant draw the plans of Washington, and the plans of Washington were not adapted to a little village like Alexandria and the village that was in the District at the time we came here; but was adapted to a city of magnificent distances and to a city of millions of inhabitants; and, therefore, the clause was adopted knowing that just such a city we would have here and that just such a city would have to get along relying upon the training in self-government of Representatives of 80,000,000 people to do justice by it.—*Extracts, see 4, p. 358.*

CITIZENS' JOINT COMMITTEE ON FISCAL RELATIONS—

continued from page 349

active and add to the District's surplus only 40 per cent from the National Treasury. But, if both the 50-50 and the 60-40 ratios are destroyed, and when the surplus comes to be expended there is no definite proportionate contribution by Nation and taxpaying Capital, then the chances are 100 to 1 that the Nation will not participate at all under any percentage of obligation to enlarge the surplus fund for the upbuilding of the Capital.

There are no offsetting benefits to the injuries inflicted by the bill.

Broadly, Washington is tempted to surrender its safeguard of national proportionate contribution by the assurance that through a lump-sum payment system the Capital will escape the tender mercies of the Budget Bureau and will win the privilege, not of taxing itself without restraint but of being taxed by Congress without limit for the upbuilding of the Nation's city.

It is suggested that there will be immunity from Budget Bureau cutting down of Uncle Sam's Capital upbuilding outlay, if the expenditures are made in a lump sum instead of as a proportionate part of the District's total municipal appropriation.

But if Uncle Sam is compelled by any year's fiscal condi-

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HON. LOUIS C. CRAMTON—continued

its schools and sewers and paving as rapidly as it ought to have them. This offers a way for the people here to get them. Let me illustrate how the present plan works. One year the budget called for preliminary estimates, and the Commissioners of the District sent to the Budget Office their preliminary estimate, amounting to \$32,538,702. Under the present law that would have taken \$12,800,000 from the Treasury, three to four million more than heretofore. What did the Budget Office say? Because the President had given word or instruction to the Budget Office that the total Federal expenditure must be kept down to \$3,000,000,000, therefore the Federal contribution in the District had to share in the common cut with other Federal expenditures, and the Budget Office told the Commissioners of the District \$35,144,882 would be the limit that could be allotted the District, not because the expenditures proposed were not desirable or needed, but because the Federal contribution had to be limited, as are all other Federal expenditures.—*Extracts, see 11, p. 358.*

DR. GEORGE C. HAVENNER

Continued from page 343

States of New Hampshire, Utah, Idaho, Arizona or Wyoming.

The Nineteenth Amendment to the Constitution of the United States reads: "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex."

Since the passage of this amendment suffrage has been made universal in the continental United States and practically so in its territories and insular possessions. In the last analysis suffrage is based upon competency and residence. Competency is predicated upon age, mentality and educational qualifications. Residence comes itself with the required time an elector must live within a specific geographic jurisdiction.

If suffrage were prescribed for the residents of the City of Washington, at least five advantages would, in my opinion, follow in the wake of the establishment of such privilege for the electors of the District of Columbia, to wit:

1. The elimination of discontent, perhaps not in its entirety, but certainly in a relative sense.
2. Centralized responsibility would make for efficiency on the part of the electorate and would accelerate civic improvement in every direction.
3. The economic side of our urban development would be safeguarded and the conservation of our resources would be in the hands of the people themselves.
4. The esthetic side of Washington life, already world renowned and far famed for its natural beauty, would grow by leaps and bounds because every one who has a voice in the establishment and maintenance of his own government feels a personal concern in its advancement and conservation.
5. More people would come to Washington to make their homes if they were assured a voice in the government and a share in all the increments of political greatness that follow in the wake of suffrage.

In the face of the foregoing facts, it cannot be denied that we Washingtonians are a marvelously patient generation. I believe, however, that we stand on the threshold of a new day and a new dispensation. We have the population, we have the wealth, we have the education. We must and shall win the fight for suffrage in the District of Columbia.

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CITIZENS' JOINT COMMITTEE ON FISCAL RELATIONS

Continued from page 349

tions to cut down all of his expenditures, including his outlay on National Capital upbuilding, he will obviously make this retrenchment, whether in order to do it he reduces a lump-sum contribution or holds down the total District outlay, of which he pays a proportionate part. Indeed, it is easier to make this direct specific reduction than indirectly by cutting and mutilating the District appropriations. There is greater fixity to the definite proportionate contribution than to that of a lump sum. It is far easier for those who think that the Nation should pay nothing today toward Capital maintenance and development to reduce or deny entirely the annual lump sum than to change the ratio of proportionate contribution.

This bill will not cause the District to escape supervision and national-contribution cutting by the Budget Bureau. It does not increase the certainty of a national contribution or fixity in the amount of such contribution. It does not avoid friction-breeding ratio discussion, but on the contrary aggravates it. It does not increase a particle the District's power to participate in its municipal legislature. Congress still has exclusive power to determine how much it shall be taxed, and by whom and for what purpose its tax money shall be expended.—*Extracts, see 17, p. 358.*

**The New Building Program for the Capital**

Continued from page 340

each department will be centered in one locality as much as possible. It will also make it possible to plan the entire program with a view to the best interests of the Government service as a whole, so that one department or agency will not be unduly favored to the detriment of another.

The Act also provides that the commission shall make decision as to the size of each building. This is done for the reason that sometimes departments of the Government have very exaggerated ideas with regard to their space requirements.

The type of building to be erected in each case would be governed primarily by its location and the activity which is to use it. On prominent avenues and thoroughfares buildings would necessarily be of classic design and entirely in keeping with the idea of enhancing the beauty of the Federal Capital. In the less prominent locations it would undoubtedly be the policy to erect buildings of the modern office type—the new Interior Building being a good example of this type. The commission is not at all in sympathy with those artistic extremists who would line the streets of Washington with Greek temples for the housing of the various Federal activities. Such a proceeding would involve the Government in expenditures which would probably run into the hundreds of millions.

The section of the Act which authorizes the commission in charge of the State, War, and Navy Department Buildings to acquire privately owned lands when needed is a precautionary measure. It is not believed that the acquisition of such lands will be necessary. The Government now owns the seven squares upon which the temporary buildings are located west of Seventeenth street, the square south of Pennsylvania avenue between Fourteenth and Fifteenth streets, sites along the Mall, and in other locations. It would, of course, be the policy of the commission to utilize these various areas to the fullest possible extent.—*Extracts, see 13, p. 358.*

## The White House

**EDITOR'S NOTE:** This department of THE CONGRESSIONAL DIGEST reports each month the outstanding public matters which have had the attention of the President during the preceding month. Such public matters will include appointments made by the President, addresses delivered by the President, executive orders, and proclamations issued by the President, etc. In the January, 1924, number of THE CONGRESSIONAL DIGEST, the Hon. Wm. Tyler Page, Clerk of the House of Representatives, U. S. Congress, fully described the position of the Executive under the Constitution. The July-August, 1924, number of THE CONGRESSIONAL DIGEST was devoted to a detailed account of the early and present system of election of the President, together with an article on the Powers and Duties of the President under the Constitution.

### The President's Calendar

For the Period October 24 to November 17, 1927

#### Addresses

**November 14**—An address of President Coolidge at the Awarding to Col. Charles A. Lindbergh by the National Geographic Society of the Hubbard Medal at Washington, D. C.

**November 17**—An address of President Coolidge before the Union League of Philadelphia at Philadelphia, Pa.

#### Appointments

**October 26**—Henry M. Bond, of Massachusetts, to be Assistant Secretary of the Treasury.

**October 27**—Walter F. Brown, of Ohio, to be Assistant Secretary of Commerce.

**October 29**—Mrs. Henry Vaux Walcott, of the District of Columbia, to be a member of the Board of Indian Commissioners.

**November 1**—Addison E. Southard, of Kentucky, Consul General at Singapore, to act as Minister Resident and Consul General to Ethiopia.

**November 7**—Fred C. Goodell, to be Collector of Internal Revenue for the District of Arizona.

**November 12**—Garland S. Ferguson, Jr., of North Carolina, to be a member of the Federal Trade Commission.

**November 14**—Ephraim F. Morgan, of West Virginia, to be Solicitor of the Department of Commerce.

**November 14**—Harold A. LaFount, of Utah, to be a member of the Federal Radio Commission.

#### Executive Orders

**October 26**—An executive order amending certain Civil Service rules.

**October 28**—An executive order revoking order withdrawing from entry certain lands in Arizona.

**October 31**—An executive order revoking withdrawal of certain public lands in Arizona.

**October 31**—An executive order amending the boundaries of the Columbia National Forest, Washington, in opening certain lands in that State to homestead entry.

#### Proclamations

**October 25**—A proclamation transferring to the Territory of Hawaii title to certain lands in Hawaii now held by the United States Government.

**October 26**—A proclamation designating November 24, 1927, as Thanksgiving Day.

**October 31**—A proclamation decreasing the duty on phenol.

**November 2**—A proclamation providing for public celebration of Armistice Day, November 11, 1927.

**November 10**—A proclamation increasing rates of duty on imports of magnesite, crude and caustic calcined.

## The Building of the White House

Continued from page 332

**1857**—The White House stables and conservatory, which stood on the site now occupied by the Treasury, east of the White House, were removed to make way for the Treasury Building.

**1870**—The White House was entirely redecorated.

**1902**—No further major structural changes were made in the building until 1902, when, in order to provide adequately for the large numbers of people attending receptions and state dinners, and to give the President and his family the privacy of a home, extensive alterations of the main building were undertaken. This work, which was carried out under the direction of the firm of McKim, Mead & White, architects, comprised reconstruction of the East Terrace, renovation of the basement story, remodeling of the first story, including the ceilings of the East Room and the State Dining Room; construction of servants' rooms in the attic (third story), and the erection of the Executive Office Building at the end of the west terrace to accommodate the offices previously in the White House.

**1923**—An appropriation of \$5,000 was made by Congress "for preparing plans and estimate for fireproofing the Executive Mansion, including plans for the renovation of the second and third stories and the roof," the work to be done by the Office of the Supervising Architect of the Treasury. In the preparation of the plans, great care was taken not to alter in any way the architectural appearance of the build-

ing, the masonry walls remaining unchanged and the elevation of the top of the new roof being made the same as that of the original roof.

**1926**—An appropriation of \$375,000 was made by Congress "for reconstructing the roof, attic and ceilings of the second story of the Executive Mansion," under the supervision of the Director of Public Buildings and Public Parks of the National Capital, \$25,000 of the appropriation being made available for securing and maintaining suitable temporary quarters for the President and his family during the reconstruction period.

**1927**—Award of the contract to the lowest bidder, N. P. Severin Company, of Chicago, Ill., was made on January 8, 1927.

On March 2 the President moved to his temporary residence at 15 Dupont Circle. The actual construction was started on March 14, 1927.

On September 11 the work of reconstruction was completed and the White House ready for occupancy by President Coolidge upon his return from South Dakota.

#### Recent Valuation

According to a statement issued by William P. Richards, Tax Assessor of the District of Columbia, on November 18, 1927, the White House and the White House grounds are worth \$22,000,000.

## Recent Government Publications of General Interest

The following publications issued by various departments of the Federal Government may be obtained from the Superintendent of Documents, Government Printing Office, Washington, D. C., at the prices listed below.

### Agriculture

"Defects in Timber Caused by Insects"; by Thos. E. Snyder. (Agriculture Bulletin 1400.) Price, 15 cents. Covers types of insect defects, definitions, defects classed as pinholes, defects classed as grubholes or wormholes, etc.

"Spray Irrigation in Eastern States"; by Geo. A. Mitchell. (Farmers' Bulletin 1529.) Price, 5 cents. Covers purpose of irrigation in Eastern States, kinds of irrigation, types of spray-irrigation systems, water supplies, etc.

"Infectious Abortion of Cattle"; by John M. Buck. (Farmers' Bulletin 1536.) Price, 5 cents. Covers abortion widely prevalent, nature of the disease, causative agent, location of bacillus abortus in infected animals, etc.

"Cleaning Grain on Farms and in Country Elevators"; by R. H. Black. (Farmers' Bulletin 1542.) Price, 5 cents. Covers losses from weeds in grain, causes of dockage, prevention of dockage, utilizing the dockage, etc.

"Farther Studies on Flag Smut of Wheat"; by W. H. Tisdale and others. (Department Circular 424.) Price 5 cents. Covers occurrence of flag smut, losses from flag smut, soil infestation, seed treatment, varietal resistance, etc.

"United States Census of Agriculture, 1925, Summary Statistics by States." Price, 15 cents. Covers introduction, map of United States showing geographic divisions, United States tables and State tables.

"Experimental Fur Farm of the Biological Survey"; by F. G. Ashbrook and K. B. Hanson. (Agriculture Leaflet 6.) Price, 5 cents. Covers location and history, stock and equipment, feeding, sanitation, accomplishments.

### Army and Navy

"Decorations United States Army, 1862-1926." (War Department Document 18a.) Price, \$1.35. Covers awards of Congressional Medal of Honor, Distinguished Service Cross and Distinguished Service Medal.

"Information Concerning the United States Navy and Other Navies." (Navy Dept.) Price, 20 cents. Covers treaty limiting Naval armament, comparative Naval strength of United States, Great Britain, Japan, France and Italy, bibliography of history of United States Navy, etc.

"Telegraph Operator, Students' Manual for All Arms." (Army Training Manual 28.) Price, 35 cents. Covers code practice, telegraph procedure, touch typewriting, equipment, etc.

"Meteorological Observer, Students Manual for All Arms." (Army Training Manual 30.) Price, 50 cents. Covers unit operations, information topics, index, etc.

### Domestic Trade

"Wholesale Prices, 1890 to 1926." (Labor Bulletin 440.) Price, 35 cents. Covers method of computing index numbers, commodities included in present bulletin, wholesale prices in 1926 and in previous years, etc.

"Trade Agreements, 1926." (Labor Bulletin 448.) Price, 30 cents. Covers general contents of agreements, actors, automobile works, bakers, barbers, bill posters, brewery workers, brick and clay workers, broom makers, etc.

### Education

"Typical Child Care and Parenthood Education in Home Economics Department"; by Emeline S. Whitcomb. (Education Bulletin 17, 1927.) Price, 20 cents. Covers child care and training in elementary, junior and senior high schools, child care and parenthood education offered in home economics departments of general and vocational high school, in higher educational institutions with nursery school facilities, etc.

"Public Evening Schools for Adults"; by L. R. Alderman. (Educational Bulletin 21, 1927.) Price, 5 cents. Covers evening schools in large cities, fees and length of term, some suggestions for a successful evening school, etc.

### Foreign Trade

"Market for Motion Pictures in Central Europe, Italy and Spain"; by George R. Canty. (Trade Information Bulletin 400.) Price, 10 cents. Covers introduction, production and distribution of pictures in Germany, Poland, Czechoslovakia, Austria, Hungary, Italy, Spain, etc.

"The British Underwear Market"; by G. Grant Isaacs. (Trade Information Bulletin 500.) Price, 10 cents. Covers variety of retail stocks offered, characteristics of market trade in men's underwear, in women's underwear, children's underwear, tariffs, British foreign trade in underwear, etc.

"Foreign Markets for Tractors"; by Charles D. Martin. (Trade Information Bulletin 502.) Price, 10 cents. Covers introduction, North America, West Indies, Central America, South America, Europe, Asia, Oceania and Africa.

"Trade Financing and Exchange in Egypt, Greece and Turkey"; by James F. Hodgson and others. (Trade Information Bulletin 506.) Price, 10 cents. Covers Egyptian foreign trade, financing Egyptian export trade, Greek foreign trade, Turkish foreign trade, etc.

"The Philippine Islands. A Commercial Survey"; by O. M. Butler. (Trade Promotion Series 52.) Price, 20 cents. Covers Philippine Government, finance, currency and banking, transportation and communication, forest products, etc.

"Hides and Skins, World Production and International Trade"; by J. Schnitzer. (Trade Promotion Series 50.) Price, 35 cents. Covers introduction, Continental trends in livestock and in rawstock production, North America, South America, Europe, Asia, Africa, etc.

"The Ports of Porto Rico." (War Department.) Price, 40 cents. Covers port and harbor conditions, port customs and regulations, port services and charges, fuel and supplies, port and harbor facilities, communications, etc.

### Manufactures

"Production of Explosives in the United States During the Calendar Year 1926"; by William W. Adams. (Mines Technical Paper 426.) Price, 10 cents. Covers introduction, classification of explosives, acknowledgments, statistics, production and distribution, explosives in mineral industry, monthly sales, etc.

"Sawdust and Wood Flour." (Report of the National Committee on Wood Utilization.) Price, 10 cents. Covers sawdust and its principal uses and wood flour, its manufacture and principal uses.

### Miscellaneous

"Effect of Laundering upon the Thermal Insulating Value of Cotton Blankets"; by Phillip Rudnick. (Standards Technologic Papers 347.) Price, 5 cents. Covers introduction, preliminary considerations, test procedure and results, discussion, etc.

"Industrial Accidents to Women in New Jersey, Ohio and Wisconsin"; by Kathleen Jennison and Elizabeth Benham. (Women's Bureau, Bulletin 60.) Price, 45 cents. Covers introduction, legislation, administration, prevention, findings from interviews with permanently disabled women, charts, tables, etc.

"The Promotion of the Welfare and Hygiene of Maternity and Infancy." (Children's Bureau Publication 178.) Price, 20 cents. Covers State administration principal activities of the individual States, Federal administration, etc.

"Hydrographic Surveying Prepared Under Direction of Chief of Engineers, 1927." (War Department Document 13a.) Price, 10 cents. Covers general, instruments and equipment peculiar to hydrographic surveying, soundings, etc.

"Report of an Investigation of the Pollution of Lake Michigan in the Vicinity of South Chicago and Calumet and Indiana Harbors 1924-1925"; by H. R. Crohurst and others. (Public Health Bulletin 170.) Price, 25 cents. Covers conditions in Calumet district, survey of sources of pollution, examination of waters of Lake Michigan, etc.

"Laws Governing the Organization and Administration of the Bureau of War Risk Insurance and the U. S. Veterans' Bureau and the Federal Board for Vocational Education in its Relation to Veterans of the World War." Price, 25 cents.

"Currency Systems of the Orient"; by Elgin E. Groseclose. (Trade Information Bulletin 504.) Price, 10 cents. Covers Australia, Ceylon, China, Egypt, French Indo-China, India, Japan, Netherlands, East Indies, New Zealand, Persia, etc.

### Radio

"Commercial and Government Radio Stations of the United

Continued on page 358

## The Supreme Court of the United States

EDITOR'S NOTE: This department of THE CONGRESSIONAL DIGEST began with Vol. 3, No. 1, and is devoted to a brief non-technical review of current decisions of the U. S. Supreme Court which are of general public interest. The June, 1923, number of THE CONGRESSIONAL DIGEST printed the provisions of the Constitution of the United States upon which the Judicial Branch of our Federal Government rests. This number contained an account of the U. S. Supreme Court and the system of inferior federal courts, the relation of the Judicial Branch to the Legislative and Executive Branches of the Federal Government, and the relation between the Federal Judiciary and the States. The U. S. Supreme Court, its present procedure and work, were also described.

*The October, 1927, Term—October, 1927-June, 1928.*

HAVING decreed by the decision given below that the individual crosses a grade crossing at his own peril, it is interesting that the Supreme Court is now called upon for a decision determining whether States can require interstate transit companies to eliminate such crossings. The New York State Courts sustained the Transit Commission of New York in their order requiring the Staten Island Rapid Transit Railway Company to eliminate three grade crossings at Fort Washington, New York. In appeals now pending before the Supreme Court (numbers 615 and 616)

the transit company maintains that it is an interstate carrier under the control of the Interstate Commerce Commission and is not subject to the orders of the Transit Commission of New York. In this decision the Supreme Court will determine whether States have the power to order interstate carriers to eliminate grade crossings. (This case will be reported in THE CONGRESSIONAL DIGEST when the decision is received.)

The Court will reconvene on November 21 after a recess of three weeks.

### Decision Fixing Responsibility at Grade Crossings

*The Case*—No. 58. The Baltimore and Ohio Railroad Company, petitioner, vs. Dora Goodman, Administratrix of Nathan Goodman. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

*The Decision*—The Court, without dissent, reversed the judgment of the Circuit Court to the effect that the Baltimore and Ohio Railroad was responsible for the death of Nathan Goodman.

Mr. Justice Sutherland was absent.

*The Opinion*—Mr. Justice Holmes delivered the opinion of the Court, which is given below:

This is a suit brought by the widow and administratrix of Nathan Goodman against the petitioner for causing his death by running him down at a grade crossing. The defense is that Goodman's own negligence caused the death. At the trial the defendant asked the Court to direct a verdict for it, but the request and others looking to the same direction were refused, and the plaintiff got a verdict and a judgment which was affirmed by the Circuit Court of Appeals. 10 F. (2d) 58.

Goodman was driving an automobile truck in an easterly direction and was killed by a train running southwesterly across the road at a rate of not less than sixty miles an hour. The line was straight, but it is said by the respondent that Goodman 'had no practical view' beyond a section house two hundred and forty-three feet north of the crossing until he was about twenty feet from the first rail, or, as the respondent argues, twelve feet from danger, and that then the

engine was still obscured by the section house. He had been driving at the rate of ten or twelve miles an hour, but had cut down his rate to five or six miles an hour at about forty feet from the crossing. It is thought that there was an emergency in which so far as appears, Goodman did all that he could.

We do not go into further details as to Goodman's precise situation, beyond mentioning that it was daylight and that he was familiar with the crossing, for it appears to us plain that nothing is suggested by the evidence to relieve Goodman from responsibility for his own death. When a man goes upon a railroad track he knows that he goes to a place where he will be killed if a train comes upon him before he is clear of the track. He knows that he must stop for the train, not the train stop for him. In such circumstances it seems to us that if a driver cannot be sure otherwise whether a train is dangerously near he must stop and get out of his vehicle, although obviously he will not often be required to do more than to stop and look. It seems to us that if he relies upon not hearing the train or any signal and takes no further precaution he does so at his own risk. If at the last moment Goodman found himself in an emergency it was his own fault that he did not reduce his speed earlier or come to a stop. It is true, as said in *Flannely v. Delaware & Hudson Co.*, 225 U. S. 597, 603, that the question of due care very generally is left to the jury. But we are dealing with a standard of conduct, and when the standard is clear it should be laid down once for all by the Courts. See *Southern Pacific Co. v. Berkshire*, 254, U. S. 415, 417, 419.



## Recent Government Publications

Continued from page 356

States, Edition, June 30, 1927." (Radio Division, Department of Commerce.) Price, 15 cents. Covers Commercial and Government radio stations of the United States, stations alphabetically by names, commercial ship radio stations by names of vessels, etc.

"Amateur Radio Stations of the United States, Edition, June 30, 1927." (Radio Division, Department of Commerce.) Price, 25 cents. Covers headquarters of first to ninth districts, experimental and technical and training school stations, alphabetically by names of station, etc.

### Standards

"United States Government Master Specification No. 508, for Tile, Hollow, Clay, Fireproofing, Partition and Furring." (Standards Circular 343.) Price, 5 cents. Covers general specifications, classes, material and workmanship, general requirements, detail requirements, methods of sampling and tests, etc.

"Tarnish Resisting Silver Alloys;" by Louis Jordan and others. (Standards Technologic Papers 348.) Price, 15 cents. Covers qualities desired in tarnish-resisting silver, previous work on tarnish-resisting silver alloys, etc.

"United States Government Master Specification 506, for Tile, Hollow, Clay, Floor." (Standards Circular 344.) Price, 5 cents. Covers general specifications, classes, material and workmanship, general requirements, detail requirements, etc.

"Weights and Measures Administration;" by Ralph W. Smith. (Standards Handbook Series II.) Price, 70 cents. Covers general, mechanical activities, supervisory activities, system of records and appendixes.

"Specifications for the Manufacture and Installation of Two-Section, Knife-Edge Railroad Track Scales." (Standards Circular 333.) Price, 10 cents. Covers classes of scales, capacity, plans, working stresses, length, levers, pivots and knife-edges, etc.

"Current Distribution in Supraconductors;" by F. B. Silabee. (Standards Scientific Papers 556.) Price, 10 cents. Covers calculations of current distribution, comparison with experiments of Onnes and Tuyn on tubular specimens, etc.

"A Weight Burette for the Micromasurement of Liquid Volumes;" by Martin Shepherd. (Standards Scientific Papers 555.) Price, 5 cents. Covers particular application necessitating the burette and its possible general application, design, detailed operation, results, and summary.

### Statistics

"Financial Statistics of States, 1926." (Bureau of the Census.) Price, 20 cents. Covers introduction, description of general tables, general tables, and diagrams.

"Statistical Abstract of the United States, 1926." (Bureau of Foreign and Domestic Commerce.) Price, \$1.00 Buckram. Covers area, population, defectives, delinquents, dependents, vital statistics, immigration, emigration, education, etc.

### Transportation

"Transportation and communication in the United States, 1926;" by A. Lane Cricher. (Trade Information Bulletin 501.) Price, 10 cents. Covers railway transportation, traffic, rates and fares, employment and wages, tables, charts, etc.

## Sources From Which Material in This Number Is Taken

Articles for which no source is given have been specially prepared for this number of *The Congressional Digest*

- 1—Senate Report, 572, 44th Congress, 2d session.
- 2—Senate Report, 479, 43d Congress, 2d session.
- 3—Congressional Record, Jan. 30, 1924, 68th Cong., 1st sess.
- 4—U. S. Senate Hearings on S. 14, S. 417, and S. J. Res. 133, 67th Congress, 1st and 2d sessions.
- 5—Brief filed with the Federal Power Commission.
- 6—Hearings before Judiciary Committee of House on H. J. Res. 208, 69th Congress, 1st session.
- 7—Congressional Record, Apr. 19, 1922, 67th Cong., 1st sess.
- 8—Congressional Record, Mar. 16, 1926, 69th Cong., 1st sess.
- 9—Official file of the office of the U. S. District Engineer at Washington.
- 10—Official file of Federal Power Commission.
- 11—Congressional Record, May 1, 1924, 68th Cong., 1st sess.
- 12—Washington Board of Trade Bulletin, Nov. 16, 1927.
- 13—Speech before Washington Real Estate Board, Nov. 15, 1927.

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